

***In the Senate of the United States,***

*September 21 (legislative day, September 5), 1995.*

*Resolved*, That the bill from the House of Representatives (H.R. 1868) entitled “An Act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1996, and for other purposes”, do pass with the following

**AMENDMENTS:**

1 **(1)**Page 2, line 25, strike out **[\$786,551,000]** and insert:

2 \$795,000,000

3 *PROHIBITION ON USE OF FUNDS FOR RELOCATING AID TO*

4 *FEDERAL TRIANGLE BUILDING*

5 *SEC. 577. Notwithstanding any other provision of law,*

6 *none of the funds appropriated or otherwise made available*

7 *by this Act may be used to relocate the Agency for Inter-*

8 *national Development, or any part of that agency, to the*

9 *Federal Triangle Building in Washington, District of Co-*

10 *lumbia.*

11 **(2)**Page 3, line 26, strike out **[\$45,228,000]** and insert:

12 \$46,000,000

13 **(3)**Page 4, line 25, strike out **[\$35,000]** and insert:

14 \$20,000

1 **(4)**Page 4, line 26, strike out **【\$26,500,000】** and insert:

2 \$26,000,000

3 **(5)**Page 5, line 9, strike out **【\$69,500,000】** and insert:

4 \$79,000,000

5 **(6)**Page 5, line 10, after “1961” insert: , *to be derived*

6 *by transfer from the Overseas Private Investment Corpora-*

7 *tion Noncredit account*

8 **(7)**Page 6, strike out all after line 14 over to and includ-

9 ing line 7 on page 7

10 **(8)**Page 7, strike out all after line 14 over to and includ-

11 ing line 9 on page 8

12 **(9)**Page 8, strike out line 10 and insert:

13 *ECONOMIC ASSISTANCE*

14 **(10)**Page 8, strike out all after line 10, down to and in-

15 cluding “\$655,000,000” in line 14 and insert:

16 *For necessary expenses to carry out the provisions of*

17 *sections 103 through 106, chapter 10 of part I, and chapter*

18 *4 of part II of the Foreign Assistance Act of 1961, and the*

19 *provisions of title V of the International Security and De-*

20 *velopment Cooperation Act of 1980 (Public Law 96–533)*

21 *and provisions of section 401 of the Foreign Assistance Act*

22 *of 1969, \$2,117,099,331*

1 **(11)**Page 8, line 15, after “*Provided,*” insert: *That funds*  
 2 *made available under this heading for each of (1) sections*  
 3 *103 through 106, (2) section 104(b), (3) chapter 10 of part*  
 4 *I, (4) chapter 4 of part II (exclusive of assistance for Israel*  
 5 *and Egypt) of the Foreign Assistance Act of 1961, (5) title*  
 6 *V of Public Law 96–533, (6) section 401 of the Foreign*  
 7 *Assistance Act of 1969, and (7) for “Debt Restructuring”,*  
 8 *shall be the same proportion to the total amount appro-*  
 9 *priated under this heading as the proportion of funds ap-*  
 10 *propriated to carry out each of such provisions was to the*  
 11 *total amount appropriated for them in title II of Public*  
 12 *Law 103–306, exclusive of assistance to Israel and Egypt:*  
 13 *Provided further, That the President shall seek to ensure*  
 14 *that the percentage of funds made available under this head-*  
 15 *ing for the activities of private and voluntary organizations*  
 16 *and cooperatives is at least equal to the percentage of funds*  
 17 *made available pursuant to corresponding authorities in*  
 18 *law for the activities of private and voluntary organizations*  
 19 *and cooperatives in fiscal year 1995: Provided further, That*  
 20 *the use of any authority to waive the requirements of the*  
 21 *previous proviso shall be subject to the regular notification*  
 22 *requirements of the Committees on Appropriations: Pro-*  
 23 *vided further, That of the funds appropriated or otherwise*  
 24 *available by this Act for population planning assistance ad-*  
 25 *ministered by the Agency for International Development,*

1 *not less than \$350,000,000 shall be made available for the*  
 2 *central Office of Population of the Agency for International*  
 3 *Development in fiscal year 1996, which sum shall be made*  
 4 *available to that office: Provided further,*

5 **(12)**Page 9, line 10, after “proviso” insert: : *Provided fur-*  
 6 *ther, That for purposes of this or any other Act authorizing*  
 7 *or appropriating funds for foreign operations, export fi-*  
 8 *nancing, and related programs, the term “motivate”, as it*  
 9 *relates to family planning assistance, shall not be construed*  
 10 *to prohibit the provision, consistent with local law, of infor-*  
 11 *mation or counseling about all pregnancy options including*  
 12 *abortion*

13 **(13)**Page 9, line 16, strike out all after “heading” down  
 14 to and including “Africa”, in line 17

15 **(14)**Page 9, line 17, strike out **【\$15,000,000】** and insert:  
 16 *\$30,000,000*

17 **(15)**Page 9, line 22, after “Appropriations” insert: : *Pro-*  
 18 *vided further, That none of the funds made available under*  
 19 *this heading may be transferred to the Government of Zaire:*  
 20 *Provided further, That, not less than \$2,000,000 shall be*  
 21 *provided to the International Fertilizer Development Center*

22 **(16)**Page 9, line 22, after “Appropriations” insert: : *Pro-*  
 23 *vided further, That not less than \$800,000 of the funds*

1 *made available under this heading shall be made available*  
 2 *for support of the United States Telecommunications*  
 3 *Training Institute;*

4 **(17)**Page 9, strike out all after line 22, over to and in-  
 5 cluding line 9 on page 10

6 **(18)**Page 10, after line 9 insert:

7 *CYPRUS*

8 *Of the funds appropriated under the heading “Eco-*  
 9 *nomie Assistance”, not less than \$15,000,000 shall be made*  
 10 *available for Cyprus to be used only for scholarships,*  
 11 *bicommunal projects, and measures aimed at reunification*  
 12 *of the island and designed to reduce tensions and promote*  
 13 *peace and cooperation between the two communities on Cy-*  
 14 *prus.*

15 **(19)**Page 10, after line 9 insert:

16 *BURMA*

17 *Of the funds appropriated under the heading “Eco-*  
 18 *nomie Assistance”, not less than \$2,000,000 shall be made*  
 19 *available to strengthen democracy and support humani-*  
 20 *tarian activities in Burma: Provided, That of this amount,*  
 21 *not less than \$200,000 shall be used to support newspapers,*  
 22 *publications and media activities promoting democracy in-*  
 23 *side Burma: Provided further, That funds made available*  
 24 *under this heading may be made available to organizations*

1 *and Burmese student groups to expand indigenous partici-*  
 2 *pation in the political process, transportation, communica-*  
 3 *tions, publications, administration, and medical supplies*  
 4 *and humanitarian services: Provided further, That funds*  
 5 *made available under this heading may be made available*  
 6 *to support activities in Burma, along the Burma-Thailand*  
 7 *border, and to support activities designated by this Act out-*  
 8 *side Burma: Provided further, That funds made available*  
 9 *under this heading may be made available notwithstanding*  
 10 *any other provision of law: Provided further, That provi-*  
 11 *sion of such funds shall be made available subject to the*  
 12 *regular notification procedures of the Appropriations Com-*  
 13 *mittees.*

14 **(20)**Page 10, line 23, after “section” insert: *, except that*  
 15 *the authority contained in the last sentence of section 123(g)*  
 16 *may be exercised by the Administrator with regard to the*  
 17 *requirements of this paragraph*

18 **(21)**Page 10, strike out all after line 23, over to and in-  
 19 cluding line 6 on page 11

20 **(22)**Page 11, strike out lines 7 through 12

21 **(23)**Page 11, line 14, strike out **【For】** and insert: *Of the*  
 22 *funds made available under the heading “Economic Assist-*  
 23 *ance”, for*

1 **(24)**Page 11, line 21, strike out all after “swaps,” down  
 2 to and including “\$7,000,000” in line 24 and insert:  
 3 \$15,000,000

4 **(25)**Page 12, line 3, strike out **【For】** and insert: *Of the*  
 5 *funds made available under the heading “Economic Assist-*  
 6 *ance”, for*

7 **(26)**Page 12, line 7, after “1974” insert: : *Provided fur-*  
 8 *ther, That guarantees of loans made under this heading in*  
 9 *support of microenterprise activities may guarantee up to*  
 10 *70 percent of the principal amount of any such loans not-*  
 11 *withstanding section 108 of the Foreign Assistance Act of*  
 12 *1961*

13 **(27)**Page 12, line 11, after “Development” insert: : *Pro-*  
 14 *vided further, That funds made available under this head-*  
 15 *ing shall remain available until September 30, 1997*

16 **(28)**Page 12, strike out lines 13 through 16 and insert:  
 17 *Of the funds made available under the heading “Eco-*  
 18 *nomics Assistance”, for the subsidy cost, as defined in section*  
 19 *13201 of the Budget Enforcement Act of 1990, of guaranteed*  
 20 *loans authorized by sections 221 and 222 of the Foreign*  
 21 *Assistance Act of 1961, \$8,000,000: Provided, That these*  
 22 *funds are available to subsidize loan principal, 100 percent*  
 23 *of which shall be guaranteed, pursuant to the authority of*  
 24 *such sections: Provided further, That the President shall*

1 *enter into commitments to guarantee such loans in the full*  
 2 *amount provided under this heading, subject to the avail-*  
 3 *ability of qualified applicants for such guarantees: Provided*  
 4 *further, That for administrative expenses to carry out guar-*  
 5 *anteed loan programs, \$7,000,000, all of which may be*  
 6 *transferred to and merged with the appropriation for Oper-*  
 7 *ating Expenses of the Agency for International Develop-*  
 8 *ment: Provided further, That commitments to guarantee*  
 9 *loans under this heading may be entered into notwithstand-*  
 10 *ing the second and third sentences of section 222(a) and,*  
 11 *with regard to programs for Eastern Europe and programs*  
 12 *for the benefit of South Africans disadvantaged by apart-*  
 13 *heid, section 223(j) of the Foreign Assistance Act of 1961:*  
 14 *Provided further, That none of the funds appropriated*  
 15 *under this heading shall be obligated except through the reg-*  
 16 *ular notification procedures of the Committees on Appro-*  
 17 *priations.*

18 **(29)**Page 12, after line 16 insert:

19 *INTERNATIONAL DISASTER ASSISTANCE*  
 20 *For necessary expenses for international disaster relief,*  
 21 *rehabilitation, and reconstruction assistance pursuant to*  
 22 *section 491 of the Foreign Assistance Act of 1961, as amend-*  
 23 *ed, \$175,000,000 to remain available until expended: Pro-*  
 24 *vided, That of the amount appropriated under this heading,*  
 25 *\$40,000,000 should be available only for emergency human-*



1 *itarian assistance to the former Yugoslavia, of which*  
 2 *amount not less than \$6,000,000 shall be available only for*  
 3 *humanitarian assistance to Kosova.*

4 *CLARIFICATION OF RESTRICTIONS.*

5 *(a) IN GENERAL.—Section 620E of the Foreign Assist-*  
 6 *ance Act of 1961 (22 U.S.C. 2375) is amended—*

7 *(1) in subsection (e)—*

8 *(A) by striking the words “No assistance”*  
 9 *and inserting the words “No military assist-*  
 10 *ance”;*

11 *(B) by striking the words “in which assist-*  
 12 *ance is to be furnished or military equipment or*  
 13 *technology” and inserting the words “in which*  
 14 *military assistance is to be furnished or military*  
 15 *equipment or technology”;*

16 *(C) by striking the words “the proposed*  
 17 *United States assistance” and inserting the*  
 18 *words “the proposed United States military as-*  
 19 *sistance”;*

20 *(D) by inserting “(1)” immediately after*  
 21 *“(e)”;* and

22 *(E) by adding the following new paragraph:*

23 *“(2) The prohibitions in this section do not*  
 24 *apply to any assistance or transfer provided for the*  
 25 *purposes of:*

1           “(A) *International narcotics control (in-*  
2           *cluding Chapter 8 of Part I of this Act) or any*  
3           *provision of law available for providing assist-*  
4           *ance for counternarcotics purposes;*

5           “(B) *Facilitating military-to-military con-*  
6           *tact, training (including Chapter 5 of Part II of*  
7           *this Act) and humanitarian and civic assistance*  
8           *projects;*

9           “(C) *Peacekeeping and other multilateral*  
10          *operations (including Chapter 6 of Part II of*  
11          *this Act relating to peacekeeping) or any provi-*  
12          *sion of law available for providing assistance for*  
13          *peacekeeping purposes, except that lethal mili-*  
14          *tary equipment provided under this subpara-*  
15          *graph shall be provided on a lease or loan basis*  
16          *only and shall be returned upon completion of*  
17          *the operation for which it was provided;*

18          “(D) *Antiterrorism assistance (including*  
19          *Chapter 8 of Part II of this Act relating to*  
20          *antiterrorism assistance) or any provision of law*  
21          *available for antitorrism assistance purposes.*

22          “(3) *The restrictions of this subsection shall con-*  
23          *tinue to apply to contracts for the delivery of F-16*  
24          *aircraft to Pakistan.*

1           “(4) Notwithstanding the restrictions contained  
2           in this subsection, military equipment, technology, or  
3           defense services, other than F-16 aircraft, may be  
4           transferred to Pakistan pursuant to contracts or cases  
5           entered into before October 1, 1990.”; and

6           (2) by adding at the end the following new sub-  
7           sections:

8           “(f) *STORAGE COSTS.*—The President may release the  
9           Government of Pakistan of its contractual obligation to pay  
10          the United States Government for the storage costs of items  
11          purchased prior to October 1, 1990, but not delivered by  
12          the United States Government pursuant to subsection (e)  
13          and may reimburse the Government of Pakistan for any  
14          such amounts paid, on such terms and conditions as the  
15          President may prescribe: Provided, That such payments  
16          have no budgetary impact.

17          “(g) *INAPPLICABILITY OF RESTRICTIONS TO PRE-*  
18          *VIOUSLY OWNED ITEMS.*—Section 620E(e) does not apply  
19          to broken, worn or unupgraded items or their equivalent  
20          which Pakistan paid for and took possession of prior to Oc-  
21          tober 1, 1990 and which the Government of Pakistan sent  
22          to the United States for repair or upgrade. Such equipment  
23          or its equivalent may be returned to the Government of  
24          Pakistan: Provided, That the President determines and so  
25          certifies to the appropriate congressional committees that

1 *such equipment or equivalent neither constitutes nor has re-*  
 2 *ceived any significant qualitative upgrade since being*  
 3 *transferred to the United States and that its total value*  
 4 *does not exceed \$25,000,000.*

5 “(h) *BALLISTIC MISSILE SANCTIONS NOT AF-*  
 6 *FECTED.*—*Nothing contained herein shall affect sanctions*  
 7 *for transfers of missile equipment or technology required*  
 8 *under section 11B of the Export Administration Act of 1979*  
 9 *or section 73 of the Arms Export Control Act.*”.

10 **(30)**Page 12, line 25, strike out **【\$465,750,000】** and in-  
 11 sert: *\$490,000,000*

12 **(31)**Page 12, line 25, strike out all after “\$465,750,000”  
 13 over to and including “designee” in line 7 on page 13

14 **(32)**Page 13, line 12, strike out **【\$35,200,000】** and in-  
 15 sert: *\$30,200,000*

16 **(33)**Page 13, strike out line 16 and insert:

17 *MIDDLE EAST FUND*

18 **(34)**Page 13, line 18, strike out **【\$2,300,000,000】** and  
 19 insert: *\$2,015,000,000*

20 **(35)**Page 13, line 19, strike out all after “1997” down  
 21 to and including “later” in line 24 and insert: *: Provided,*  
 22 *That of the funds appropriated under this heading, not less*  
 23 *than \$1,200,000,000 shall be available only for Israel, which*

1 *sum shall be available on a grant basis as a cash transfer*  
2 *and shall be disbursed within thirty days of enactment of*  
3 *this Act or by October 31, 1995, whichever is later: Provided*  
4 *further, That not less than \$815,000,000 shall be available*  
5 *only for Egypt, which sum shall be provided on a grant*  
6 *basis, and of which sum cash transfer assistance may be*  
7 *provided, with the understanding that Egypt will undertake*  
8 *significant economic reforms which are additional to those*  
9 *which were undertaken in previous fiscal years, and of*  
10 *which not less than \$200,000,000 shall be provided as Com-*  
11 *modity Import Program assistance: Provided further, That*  
12 *not less than the Egyptian pound equivalent of \$85,000,000*  
13 *generated from funds made available by this paragraph, or*  
14 *from any other source including from funds made available*  
15 *for Egypt for fiscal year 1997, shall be made available to*  
16 *the United States pursuant to the United States-Egypt Eco-*  
17 *nomie, Technical and Related Assistance Agreements of*  
18 *1978, for the following endowments established under such*  
19 *Agreements: the Egyptian pound equivalent of \$50,000,000*  
20 *shall be made available to replenish the existing endowment*  
21 *for the American University in Cairo, and the Egyptian*  
22 *pound equivalent of \$35,000,000 shall be made available to*  
23 *replenish the existing endowment for projects and programs*  
24 *which promote the preservation and restoration of Egyptian*  
25 *antiquities: Provided further, That in exercising the author-*

1 *ity to provide cash transfer assistance for Israel and Egypt,*  
 2 *the President shall ensure that the level of such assistance*  
 3 *does not cause an adverse impact on the total level of non-*  
 4 *military exports from the United States to each such coun-*  
 5 *try: Provided further, That it is the sense of the Congress*  
 6 *that the recommended levels of assistance for Egypt and Is-*  
 7 *rael are based in great measure upon their continued par-*  
 8 *ticipation in the Camp David Accords and upon the Egyp-*  
 9 *tian-Israeli peace treaty*

10 **(36)**Page 13, line 24, strike out all after “later” down  
 11 to and including “Zaire” in line 26

12 **(37)**Page 14, strike out lines 1 through 12

13 **(38)**Page 14, line 15, before “For” insert *(a)*

14 **(39)**Page 14, line 18, strike out **【\$324,000,000】** and in-  
 15 sert: *\$335,000,000*

16 **(40)**Page 14, line 22, before “Funds” insert: *(b)*

17 **(41)**Page 15, line 7, before “Funds” insert: *(c)*

18 **(42)**Page 15, line 18, strike out **【\$580,000,000】** and in-  
 19 sert: *\$705,000,000*

20 **(43)**Page 16, line 16, strike out all after “state” down  
 21 to and including “*further,*” in line 21 and insert: *Provided,*

1 **(44)**Page 17, line 4, after “capability” insert: : *Provided,*  
 2 *That this restriction does not apply to demilitarization, de-*  
 3 *fense conversion or non-proliferation programs*

4 **(45)**Page 17, line 22, strike out all after “organizations”  
 5 down to and including “states” in line 23

6 **(46)**Page 17, strike out all after line 23, over to and in-  
 7 cluding line 2 on page 18

8 **(47)**Page 18, after line 2 insert:

9       (k) *Of the funds appropriated under this heading, not*  
 10 *less than \$15,000,000 should be available only for a family*  
 11 *planning program for the new independent states of the*  
 12 *former Soviet Union comparable to the family planning*  
 13 *program currently administered by the Agency for Inter-*  
 14 *national Development in the Central Asian Republics and*  
 15 *focusing on population assistance which provides an alter-*  
 16 *native to abortion.*

17       (l) *Notwithstanding any other provision of law or this*  
 18 *Act, of the funds appropriated under this heading, not less*  
 19 *than \$85,000,000 shall be made available for programs and*  
 20 *activities for Armenia, of which \$35,000,000 shall be avail-*  
 21 *able for food, \$40,000,000 shall be available for fuel, and*  
 22 *\$10,000,000 shall be available for medical supplies and*  
 23 *services: Provided further, That these funds shall be in addi-*

1 tion to funds justified for programs in the fiscal year 1996  
2 congressional presentation documents.

3 (m) Of the funds made available by this or any other  
4 Act, not less than \$30,000,000 shall be made available for  
5 programs and activities for Georgia.

6 (n) Of the funds appropriated under this heading, not  
7 less than \$225,000,000 shall be made available for Ukraine:  
8 Provided, That of these funds made available, not less than  
9 \$3,000,000 shall be made available to assist in establishing  
10 a commodities exchange board: Provided further, That not  
11 less than \$5,000,000 shall be made available to support im-  
12 provements in the delivery of social services: Provided fur-  
13 ther, That not less than \$20,000,000 shall be available to  
14 support the development of small and medium enterprises:  
15 Provided further, That not less than \$2,000,000 shall be  
16 provided to support strengthening in independent broadcast  
17 and print media: Provided further, That not less than  
18 \$5,000,000 shall be available for a pilot project to screen,  
19 diagnose, and treat Chernobyl victims suffering from breast  
20 cancer: Provided further, That not less than \$5,000,000  
21 shall be available to support a joint United States-Ukraine  
22 geographic survey to determine levels of contamination  
23 caused by the Chernobyl reactor: Provided further, That not  
24 less than \$2,000,000 shall be available to conduct an assess-  
25 ment of the energy distribution grid with recommendations



1 on improvements necessary to provide comprehensive indus-  
2 trial, commercial and residential access to power: Provided  
3 further, That not less than \$5,000,000 shall be made avail-  
4 able for a pilot project to establish a management and mar-  
5 ket economics training partnership between a Ukrainian  
6 university and a United States university with dem-  
7 onstrated experience in Eastern Europe or the New Inde-  
8 pendent States and an ability to plan and direct a multi-  
9 faceted program including business management, manufac-  
10 turing management, market economics, and public admin-  
11 istration training.

12 (o) Of the funds made available for Ukraine, under  
13 this Act or any other Act, not less than \$50,000,000 shall  
14 be made available to improve nuclear energy self-sufficiency  
15 and improve safety at nuclear reactors: Provided, That of  
16 this amount, not less than \$30,000,000 shall be made avail-  
17 able to provide technical assistance, training and equip-  
18 ment to develop institutions and procedures to license, pur-  
19 chase, transfer and use nuclear fuel assemblies consistent  
20 with International Atomic Energy Agency standards: Pro-  
21 vided further, That of this amount, not less than  
22 \$20,000,000 shall be provided for the purchase, installation  
23 and training for safety parameter display systems or safety  
24 control systems at all nuclear operational nuclear reactors,  
25 but on a priority basis at the Chernobyl facility.

1       (p) Notwithstanding any other provision of law or of  
2 this Act, of the funds made available under this heading,  
3 within 30 days of enactment of this Act, not less than  
4 \$4,500,000 shall be transferred to the Federal Bureau of In-  
5 vestigation to establish Legal Attaché offices and related  
6 programs in Ukraine, Kazakhstan, and Estonia: Provided,  
7 That these funds shall support both in country and regional  
8 law enforcement liaison and investigation activities.

9       (q) Notwithstanding any other provision of law or of  
10 this Act, of the funds made available under this heading,  
11 within 30 days of enactment of this Act not less than  
12 \$12,600,000 shall be transferred to the Federal Bureau of  
13 Investigation for international training and cooperation in  
14 Central Europe and the New Independent States: Provided,  
15 That these funds may support training conducted at the  
16 International Law Enforcement Academy in Hungary, in  
17 country training sessions in Central Europe, the Baltics,  
18 and the New Independent States, and efforts to establish  
19 national law enforcement institutes.

20       (r) Of the funds made available under this heading,  
21 not less than \$20,000,000 shall be available for hospital  
22 partnership programs.

23       (s) Of the funds made available under this heading,  
24 not less than \$45,000,000 shall be provided to the Western  
25 NIS Enterprise Fund.

1       (t) *No funds may be made available under this head-*  
2 *ing, until the Department of State Office of the Coordinator*  
3 *for United States Assistance to the New Independent States*  
4 *submits a report to the Committees on Appropriations pro-*  
5 *viding a country by country development strategy including*  
6 *the type of activities planned to carry out the strategy re-*  
7 *quirements.*

8       (u) *No funds may be made available under this head-*  
9 *ing for Russia unless the President determines and certifies*  
10 *in writing to the Committees on Appropriations that the*  
11 *Government of Russia has terminated all planning and im-*  
12 *plementation of arrangements to provide Iran with tech-*  
13 *nical expertise, training, technology or equipment necessary*  
14 *to develop a nuclear reactor or related nuclear research fa-*  
15 *cilities or programs.*

16       (v) *Funds appropriated under this heading or in prior*  
17 *appropriations Acts that are or have been made available*  
18 *for an Enterprise Fund may be deposited by such Fund*  
19 *in interest-bearing accounts prior to the Funds disburse-*  
20 *ment of such funds. The Fund may retain for program pur-*  
21 *poses any interest earned on such deposits without return-*  
22 *ing such interest to the Treasury of the United States and*  
23 *without further appropriation by Congress.*

1       (w) *Of the funds made available under this heading,*  
 2   *not less than \$15,000,000 shall be made available to support*  
 3   *establishing a Trans-Caucasus Enterprise Fund.*

4   **(48)**Page 18, strike out line 3

5   **(49)**Page 18, strike out lines 4 through 10

6   **(50)**Page 18, strike out lines 11 through 17

7   **(51)**Page 18, line 20, strike out **【\$210,000,000】** and in-  
 8   sert: *\$200,000,000*

9   **(52)**Page 18, line 25, after “tions” insert: : *Provided fur-*  
 10   *ther, That funds appropriated under this heading shall re-*  
 11   *main available until September 30, 1997*

12   **(53)**Page 19, line 5, strike out **【\$113,000,000】** and in-  
 13   sert: *\$150,000,000*

14   **(54)**Page 19, line 12, after “Appropriations” insert: :  
 15   *Provided further, That of the funds appropriated under this*  
 16   *heading, not less than \$1,800,000 shall be available to estab-*  
 17   *lish and maintain a Federal Bureau of Investigation Legal*  
 18   *Attaché office in Cairo, Egypt: Provided further, That not*  
 19   *less than \$5,000,000 shall be made available to the Federal*  
 20   *Bureau of Investigation and the Secret Service to establish*  
 21   *and maintain offices in the Triborder area of Argentina,*  
 22   *Brazil and Paraguay*

1 **(55)**Page 19, line 20, after “needs” insert: ; *salaries and*  
 2 *expenses of personnel and dependents as authorized by the*  
 3 *Foreign Service Act of 1980; salaries and expenses of per-*  
 4 *sonnel assigned to the bureau charged with carrying out*  
 5 *the Migrations and Refugee Assistance Act; allowances as*  
 6 *authorized by sections 5921 through 5925 of title 5, United*  
 7 *States Code*

8 **(56)**Page 19, line 23, after “\$671,000,000” insert: : *Pro-*  
 9 *vided, That not more than \$12,000,000 shall be available*  
 10 *for administrative expenses*

11 **(57)**Page 19, line 23, strike out all after “\$671,000,000”  
 12 over to and including “Act” in line 2 on page 20

13 **(58)**Page 20, line 2, after “Act” insert: : *Provided further,*  
 14 *That not less than \$80,000,000 shall be made available for*  
 15 *refugees from the former Soviet Union and Eastern Europe*  
 16 *and other refugees resettling in Israel*

17 **(59)**Page 20, strike out lines 3 through 10

18 **(60)**Page 20, line 25, strike out **[\$17,000,000]** and in-  
 19 sert: *\$15,000,000*

20 **(61)**Page 21, line 22, strike out **[\$39,000,000]** and in-  
 21 sert: *\$19,000,000*

1 **(62)**Page 22, line 10, after “Zaire” insert: *and Guate-*  
2 *mala*

3 **(63)**Page 22, line 10, strike out all after “Zaire” down  
4 to and including “training” in line 13

5 **(64)**Page 22, line 17, strike out **【\$3,211,279,000】** and  
6 insert: *\$3,207,500,000*

7 **(65)**Page 22, line 17, strike out all after  
8 “\$3,211,279,000” over to and including “Act” in line 7  
9 on page 23 and insert: : *Provided, That of the funds appro-*  
10 *priated by this paragraph not less than \$1,800,000,000*  
11 *shall be available for grants only for Israel, and not less*  
12 *than \$1,300,000,000 shall be available for grants only for*  
13 *Egypt: Provided further, That the funds appropriated by*  
14 *this paragraph for Israel shall be disbursed within thirty*  
15 *days of enactment of this Act or by October 31, 1995, which-*  
16 *ever is later: Provided further, That to the extent that the*  
17 *Government of Israel requests that funds be used for such*  
18 *purposes, grants made available for Israel by this para-*  
19 *graph shall, as agreed by Israel and the United States, be*  
20 *available for advanced fighter aircraft programs or for other*  
21 *advanced weapons systems, as follows: (1) up to*  
22 *\$150,000,000 shall be available for research and develop-*  
23 *ment in the United States; and (2) not less than*  
24 *\$475,000,000 shall be available for the procurement in Is-*

1 rael of defense articles and defense services, including re-  
 2 search and development

3 **(66)**Page 23, line 7, after “Act” insert: : *Provided further,*  
 4 *That funds made available under this paragraph shall be*  
 5 *nonrepayable notwithstanding any requirement in section*  
 6 *23 of the Arms Export Control Act: Provided further, That,*  
 7 *for the purpose only of providing support for the Warsaw*  
 8 *Initiative Program, of the funds appropriated by this Act*  
 9 *under the headings “Assistance for Eastern Europe and the*  
 10 *Baltic States” and “Assistance for the New Independent*  
 11 *States of the Former Soviet Union”, up to a total of*  
 12 *\$20,000,000 may be transferred, notwithstanding any other*  
 13 *provision of law, to the funds appropriated under this para-*  
 14 *graph*

15 **(67)**Page 24, line 1, after “exceed” insert: *the following*

16 **(68)**Page 24, line 1, after “\$224,000,000” insert: *only*

17 **(69)**Page 24, line 2, strike out **[shall not exceed]**

18 **(70)**Page 24, line 2, after “\$320,000,000” insert: *only*

19 **(71)**Page 24, line 2, after “Turkey” insert: : *Provided*  
 20 *further, That the President should seek the agreement of the*  
 21 *Prime Minister of Turkey to permit access throughout Tur-*  
 22 *key for international humanitarian organizations which*  
 23 *operate confidentially, and report to the Committee on Ap-*

1 *propriations by June 1, 1996, on progress towards such*  
 2 *agreement*

3 **(72)**Page 26, line 10, strike out **【\$24,000,000】** and in-  
 4 sert: \$22,500,000

5 **(73)**Page 26, line 26, strike out **【\$68,300,000】** and in-  
 6 sert: \$72,033,000: *Provided, That none of the funds appro-*  
 7 *priated under this paragraph shall be obligated or expended*  
 8 *except as provided through the regular notification proce-*  
 9 *dures of the Committees on Appropriations*

10 **(74)**Page 27, line 11, strike out **【\$23,009,000】** and in-  
 11 sert: \$28,189,963

12 **(75)**Page 27, line 12, after “pended” insert: : *Provided*  
 13 *further, That not more than twenty-one days prior to the*  
 14 *obligation of each such sum, the Secretary shall submit a*  
 15 *certification to the committees on Appropriations that the*  
 16 *Bank has not approved any loans to Iran since October*  
 17 *1, 1994, or the President of the United States certifies that*  
 18 *withholding of these funds is contrary to the national inter-*  
 19 *est of the United States*

20 **(76)**Page 27, line 16, strike out **【\$30,000,000】** and in-  
 21 sert: \$50,000,000

22 **(77)**Page 27, line 23, strike out **【\$743,900,000】** and in-  
 23 sert: \$911,475,013



1 **(78)**Page 28, line 4, strike out **【\$575,000,000】** and in-  
 2 sert: \$775,000,000

3 **(79)**Page 28, after line 6 insert:

4       *CONTRIBUTION TO THE INTERNATIONAL FINANCE*  
 5                               *CORPORATION*

6       *For payment to the International Finance Corpora-*  
 7 *tion by the Secretary of the Treasury, \$67,550,000, for the*  
 8 *United States share of the increase in subscriptions to cap-*  
 9 *ital stock, to remain available until expended: Provided,*  
 10 *That of the amount appropriated under this heading not*  
 11 *more than \$5,269,000 may be expended for the purchase*  
 12 *of such stock in fiscal year 1996.*

13 **(80)**Page 28, line 12, strike out **【\$25,950,000】** and in-  
 14 sert: \$25,952,110, and for the United States share of the  
 15 increase in the resources of the Fund for Special Oper-  
 16 ations, \$20,000,000, to remain available until expended

17 **(81)**Page 28, line 18, strike out **【\$1,523,000,000】** and  
 18 insert: \$1,523,767,142

19 **(82)**Page 28, after line 18 insert:

20       *CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS*  
 21                               *MULTILATERAL INVESTMENT FUND*

22       *For payment to the Enterprise for the Americas Multi-*  
 23 *lateral Investment Fund by the Secretary of the Treasury,*  
 24 *for the United States contribution to the Fund to be admin-*

1 *istered by the Inter-American Development Bank,*  
 2 *\$70,000,000 to remain available until expended.*

3 **(83)**Page 28, line 23, strike out **【\$13,200,000】** and in-  
 4 sert: *\$13,221,596*

5 **(84)**Page 29, line 3, strike out **【\$647,000,000】** and in-  
 6 sert: *\$647,858,204*

7 **(85)**Page 29, line 9, strike out **【\$100,000,000】** and in-  
 8 sert: *\$110,000,000*

9 **(86)**Page 29, line 14, strike out **【\$69,180,000】** and in-  
 10 sert: *\$70,000,000*

11 **(87)**Page 29, line 25, strike out **【\$161,400,000】** and in-  
 12 sert: *\$163,333,333*

13 **(88)**Page 30, strike out lines 1 through 11 and insert:

14 *NORTH AMERICAN DEVELOPMENT BANK*

15 *For payment to the North American Development*  
 16 *Bank by the Secretary of the Treasury, for the United*  
 17 *States share of the paid-in portion of the capital stock,*  
 18 *\$25,000,000, to remain available until expended: Provided,*  
 19 *That for the payment to the Enterprise for the Americas*  
 20 *Multilateral Investment Fund by the Secretary of the Treas-*  
 21 *ury, for the United States contribution to the fund to be*  
 22 *administered by the Inter-American Development Bank,*  
 23 *\$45,000,000 is provided to remain available until expended.*

1        *LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS*

2        *The United States Governor of the North American De-*  
 3 *velopment Bank may subscribe without fiscal year limita-*  
 4 *tion to the callable capital portion of the United States*  
 5 *share of the capital stock of the North American Develop-*  
 6 *ment Bank in an amount not to exceed \$318,750,000.*

7    **(89)**Page 30, line 16, strike out **【\$155,000,000】** and in-  
 8 sert: \$260,000,000

9    **(90)**Page 30, line 16, strike out **【Provided,】** and insert:  
 10 *Provided, That not less than \$3,000,000 of the funds appro-*  
 11 *priated under this heading shall be made available for the*  
 12 *World Food Program: Provided further,*

13    **(91)**Page 30, line 24, after “Agency” insert: *: Provided*  
 14 *further, That any reduction in the amounts made available*  
 15 *under this heading for each of the United Nations Develop-*  
 16 *ment Program, the United Nations Children’s Fund, the*  
 17 *United Nations Environment Program, and the Inter-*  
 18 *national Atomic Energy Agency, from the amounts made*  
 19 *available under this heading for such organizations for fis-*  
 20 *cal year 1995, shall not exceed the percentage by which the*  
 21 *total amount appropriated under this heading is reduced*  
 22 *from the total amount appropriated under this heading for*  
 23 *fiscal year 1995*

1 **(92)**Page 31, line 3, strike out **【\$25,000,000】** and insert:

2 *\$35,000,000*

3 **(93)**Page 31, line 19, after “funds” insert: : *Provided fur-*

4 *ther, That of the funds appropriated under this heading,*

5 *not less than \$1,000,000 shall be made available to*

6 *UNIFEM*

7 **(94)**Page 31, line 19, strike out all after “funds” over

8 to and including “tions” in line 2 on page 32

9 **(95)**Page 32, line 2, after “tions” insert: : *Provided fur-*

10 *ther, That not less than \$1,500,000 of the funds appro-*

11 *priated under this heading shall be made available for the*

12 *United Nations Fund for Victims of Torture*

13 **(96)**Page 32, line 26, strike out **【not to exceed \$5,000】**

14 and insert: *no funds*

15 **(97)**Page 33, line 14, strike out **【not to exceed \$2,000】**

16 and insert: *no funds*

17 **(98)**Page 33, line 21, after “Foundation,” insert: *no*

18 *funds shall be available for entertainment and*

19 **(99)**Page 33, lines 22 and 23, strike out **【entertainment**

20 **and】**

21 **(100)**Page 33, line 25, strike out **【not to exceed a total**

22 **of \$4,000】** and insert: *no funds*

1 **(101)**Page 34, line 2, after “Agency”,” insert: *no funds*  
 2 *shall be available for entertainment and*

3 **(102)**Page 34, line 3, strike out **【and entertainment】**

4 **(103)**Page 35, line 19, after “510.” insert: *(a)*

5 **(104)**Page 36, after line 7 insert:

6 *(b) Obligated balances of funds appropriated to carry*  
 7 *out section 23 of the Arms Export Control Act as of the*  
 8 *end of the fiscal year immediately preceding the current*  
 9 *fiscal year are, if deobligated, hereby continued available*  
 10 *during the current fiscal year for the same purpose under*  
 11 *any authority applicable to such appropriations under this*  
 12 *Act: Provided, That the authority of this subsection may*  
 13 *not be used in fiscal year 1996.*

14 **(105)**Page 38, line 13, after “modity” insert: *, and the*  
 15 *Chairman of the Board so notifies the Committees on Ap-*  
 16 *propriations*

17 **(106)**Page 39, line 26, strike out all after “for” over to  
 18 and including “Africa”,” and insert: *“Economic Assist-*  
 19 *ance”,*

20 **(107)**Page 40, line 7, strike out **【“Economic Support**  
 21 **Fund”,】**

1 **(108)**Page 40, strike out all after line 13 down to and  
 2 including “Foundation”,” in line 15

3 **(109)**Page 40, line 15, after “Corps”,” insert: “*Middle*  
 4 *East Fund*” or

5 **(110)**Page 40, line 16, strike out all after “sistance”,”  
 6 down to and including “Fund”,” in line 17

7 **(111)**Page 41, line 11, strike out **[20]** and insert: 10

8 **(112)**Page 43, line 1, strike out **[SUPPORT FUND]**

9 **(113)**Page 43, lines 16 and 17, strike out **[the Economic**  
 10 **Support Fund]** and insert: *economic assistance*

11 **(114)**Page 43, line 22, strike out **[CONCERNING ABOR-**  
 12 **TIONS]** and insert: *ON FUNDING FOR ABORTIONS*

13 **(115)**Page 44, line 19, after “lizations” insert: : *Provided,*  
 14 *That in determining eligibility for assistance from funds*  
 15 *appropriated to carry out section 104 of the Foreign Assist-*  
 16 *ance Act of 1961, nongovernmental and multilateral orga-*  
 17 *nizations shall not be subjected to requirements more re-*  
 18 *strictive than the requirements applicable to foreign govern-*  
 19 *ments for such assistance: Provided further, That none of*  
 20 *the funds made available under this Act may be used to*  
 21 *lobby for or against abortion*

22 **(116)**Page 45, line 1, strike out **[Indonesia,]**

1 **(117)**Page 45, line 2, strike out **【Russia,】**

2 **(118)**Page 45, lines 7 and 8, strike out **【Indonesia and】**

3 **(119)**Page 46, line 1, before “CHILD” insert: *FAMILY*

4 *PLANNING,*

5 **(120)**Page 47, line 9, after “national” insert: *security*

6 **(121)**Page 48, line 5, strike out **【subject to】** and insert:

7 *notwithstanding*

8 **(122)**Page 49, after line 7 insert:

9 *PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST*

10 *COUNTRIES*

11 *SEC. 527A. (a) Notwithstanding any other provision*  
 12 *of law, funds appropriated for bilateral assistance under*  
 13 *any heading of this Act and funds appropriated under any*  
 14 *such heading in a provision of law enacted prior to enact-*  
 15 *ment of this Act, shall not be made available to any country*  
 16 *which the President determines—*

17 *(1) grants sanctuary from prosecution to any in-*  
 18 *dividual or group which has committed an act of*  
 19 *international terrorism, or*

20 *(2) otherwise supports international terrorism.*

21 *(b) The President may waive the application of sub-*  
 22 *section (a) to a country if the President determines that*  
 23 *national security or humanitarian reasons justify such*

1 *waiver. The President shall publish each waiver in the Fed-*  
 2 *eral Register and, at least fifteen days before the waiver*  
 3 *takes effect, shall notify the Committees on Appropriations*  
 4 *of the waiver (including the justification for the waiver)*  
 5 *in accordance with the regular notification procedures of*  
 6 *the Committees on Appropriations.*

7 **(123)**Page 49, line 13, strike out **【Israel and】** and insert:  
 8 *Israel,*

9 **(124)**Page 49, after line 22 insert:

10 *COMPETITIVE INSURANCE*

11 *SEC. 528A. All Agency for International Development*  
 12 *contracts and solicitations, and subcontracts entered into*  
 13 *under such contracts, shall include a clause requiring that*  
 14 *United States insurance companies have a fair opportunity*  
 15 *to bid for insurance when such insurance is necessary or*  
 16 *appropriate.*

17 **(125)**Page 49, strike out all after line 22, over to and  
 18 including line 4 on page 50

19 **(126)**Page 50, strike out all after line 18, over to and  
 20 including line 3 on page 51 and insert:

21 *COMPETITIVE PRICING FOR SALES OF DEFENSE ARTICLES*

22 *SEC. 531A. (a) COSTING BASIS.—Section 22 of the*  
 23 *Arms Export Control Act (22 U.S.C. 2762) is amended by*  
 24 *adding at the end the following:*



1       “(d) *COMPETITIVE PRICING.*—Procurement contracts  
2   made in implementation of sales under this section for de-  
3   fense articles and defense services wholly paid for funds  
4   made available on a nonrepayable basis shall be priced on  
5   the same costing basis with regard to profit, overhead, inde-  
6   pendent research and development, bid and proposal, and  
7   other costing elements, as is applicable to procurements of  
8   like items purchased by the Department of Defense for its  
9   own use.”

10       (b) *EFFECTIVE DATE AND IMPLEMENTING REGULA-*  
11   *TIONS.*—Section 22(d) of the Arms Export Control Act, as  
12   added by subsection (a)—

13           (1) shall take effect on the 60th day following the  
14       date of the enactment of this Act;

15           (2) shall be applicable only to contracts made in  
16       implementation of sales made after such effective date;  
17       and

18           (3) shall be implemented by revised procurement  
19       regulations, which shall be issued prior to such effec-  
20       tive date.

21       (c) *DIRECT COSTS ALLOWABLE.*—Direct costs associ-  
22   ated with meeting a foreign customer’s additional or unique  
23   requirements will continue to be allowable under such con-  
24   tracts. Loadings applicable to such direct costs shall be per-  
25   mitted at the same rates applicable to procurement of like

1 *items purchased by the Department of Defense for its own*  
 2 *use.*

3 *STOCKPILES OF DEFENSE ARTICLES*

4 *SEC. 531B. (a) LIMITATION ON VALUE OF ADDI-*  
 5 *TIONS.—Section 514(b)(1) of the Foreign Assistance Act of*  
 6 *1961 (22 U.S.C. 2321h(b)(1)) is amended by inserting “or*  
 7 *in the implementation of agreements with Israel” after*  
 8 *“North Atlantic Treaty Organization”.*

9 *(b) ADDITIONS IN FISCAL YEARS 1996 AND 1997.—*  
 10 *Section 514(b)(2) of such Act (22 U.S.C. 2321h(b)(2)) is*  
 11 *amended to read as follows:*

12 *“(2)(A) The value of such additions to stockpiles of de-*  
 13 *fense articles in foreign countries shall not exceed*  
 14 *\$50,000,000 for each of the fiscal years 1996 and 1997.*

15 *“(B) Of the amount specified in subparagraph (A) for*  
 16 *each of the fiscal years 1996 and 1997, not more than*  
 17 *\$40,000,000 may be made available for stockpiles in the Re-*  
 18 *public of Korea and not more than \$10,000,000 may be*  
 19 *made available for stockpiles in Thailand.”.*

20 *(c) LOCATION OF STOCKPILES OF DEFENSE AUTHORI-*  
 21 *TIES.—Section 514(c) of such Act (22 U.S.C. 2321h(c)) is*  
 22 *amended to read as follows:*

23 *“(c) LOCATION OF STOCKPILES OF DEFENSE ARTI-*  
 24 *CLES.—*

25 *“(1) LIMITATION.—Except as provided in para-*  
 26 *graph (2), no stockpile of defense articles may be lo-*

1        *cated outside the boundaries of a United States mili-*  
 2        *tary base or a military base used primarily by the*  
 3        *United States.*

4            “(2) *EXCEPTIONS.—Paragraph (1) shall not*  
 5        *apply with respect to stockpiles of defense articles lo-*  
 6        *cated in the Republic of Korea, Thailand, any coun-*  
 7        *try that is a member of the North Atlantic Treaty Or-*  
 8        *ganization, any country that is a major non-NATO*  
 9        *ally, or any other country the President may des-*  
 10       *ignate. At least 15 days before designating a country*  
 11       *pursuant to the last clause of the preceding sentence,*  
 12       *the President shall notify the congressional commit-*  
 13       *tees specified in section 634A(a) in accordance with*  
 14       *the procedures applicable to reprogramming notifica-*  
 15       *tions under that section.”.*

16 **(127)**Page 55, line 14, strike out **[(a) DENIAL OF AS-**  
 17 **SISTANCE.—]**

18 **(128)**Page 56, strike out lines 6 through 18

19 **(129)**Page 57, after line 23 insert:

20        *(d) There are authorized to be appropriated to the*  
 21        *President such sums as may be necessary to reimburse the*  
 22        *applicable appropriation, fund, or account for defense arti-*  
 23        *cles, defense services, and military education and training*  
 24        *provided under this section.*

1 **(130)**Page 58, after line 4 insert:

2 *PRIORITY DELIVERY OF EQUIPMENT*

3 *SEC. 536A. Notwithstanding any other provision of*  
 4 *law, the delivery of excess defense articles that are to be*  
 5 *transferred on a grant basis under section 516 of the For-*  
 6 *ign Assistance Act to NATO allies and to major non-NATO*  
 7 *allies on the southern and southeastern flank of NATO shall*  
 8 *be given priority to the maximum extent feasible over the*  
 9 *delivery of such excess defense articles to other countries.*

10 **(131)**Page 61, line 10, strike out **["\$50,000,000"]** and in-  
 11 sert: *\$100,000,000*

12 **(132)**Page 63, after line 3 insert:

13 *(c) EXPANDED AUTHORITY.—Section 660(b) of the*  
 14 *Foreign Assistance Act of 1961 is amended—*

15 *(1) in paragraph (3), by striking “or”;*

16 *(2) in paragraph (4), by striking the period at*  
 17 *the end thereof and inserting “; or”; and*

18 *(3) adding the following new paragraphs:*

19 *“(5) with respect to assistance, including train-*  
 20 *ing, relating to sanctions monitoring and enforce-*  
 21 *ment;*

22 *“(6) with respect to assistance provided to recon-*  
 23 *stitute civilian police authority and capability in the*  
 24 *post-conflict restoration of host nation infrastructure*  
 25 *for the purposes of supporting a nation emerging*

7 (134)Page 63, line 8, strike out [displaced Burmese,]

13 **(136)**Page 65, line 18, strike out all after “appropriated”  
14 down to and including “Fund”, in line 19 and insert:  
15 *under the heading “Economic Assistance”,*

18 (138)Page 67, after line 24 insert:

20 SEC. 544A. (a) Funds appropriated by this Act which  
21 are earmarked may be reprogrammed for other programs  
22 within the same account notwithstanding the earmark if  
23 compliance with the earmark is made impossible by oper-

1 ation of any provision of this or any other Act or, with  
2 respect to a country with which the United States has an  
3 agreement providing the United States with base rights or  
4 base access in that country, if the President determines that  
5 the recipient for which funds are earmarked has signifi-  
6 cantly reduced its military or economic cooperation with  
7 the United States since enactment of the Foreign Oper-  
8 ations, Export Financing, and Related Programs Appro-  
9 priations Act, 1991; however, before exercising the authority  
10 of this subsection with regard to a base rights or base access  
11 country which has significantly reduced its military or eco-  
12 nomic cooperation with the United States, the President  
13 shall consult with, and shall provide a written policy jus-  
14 tification to the Committees on Appropriations: Provided,  
15 That any such reprogramming shall be subject to the regu-  
16 lar notification procedures of the Committees on Appropria-  
17 tions: Provided further, That assistance that is repro-  
18 grammed pursuant to this subsection shall be made avail-  
19 able under the same terms and conditions as originally pro-  
20 vided.

21 (b) In addition to the authority contained in sub-  
22 section (a), the original period of availability of funds ap-  
23 propriated by this Act and administered by the Agency for  
24 International Development that are earmarked for particu-  
25 lar programs or activities by this or any other Act shall

1 *be extended for an additional fiscal year if the Adminis-*  
 2 *trator of such agency determines and reports promptly to*  
 3 *the Committees on Appropriations that the termination of*  
 4 *assistance to a country or a significant change in cir-*  
 5 *cumstances makes it unlikely that such earmarked funds*  
 6 *can be obligated during the original period of availability:*  
 7 *Provided, That such earmarked funds that are continued*  
 8 *available for an additional fiscal year shall be obligated*  
 9 *only for the purpose of such earmark.*

10 **(139)**Page 68, line 1, after “CEILINGS” insert: *AND EAR-*  
 11 *MARKS*

12 **(140)**Page 68, line 16, strike out all after “Jordan” down  
 13 to and including “Act” in line 18

14 **(141)**Page 68, after line 18 insert:

15 *(c) The President may transfer to Estonia such excess*  
 16 *defense articles as the President determines necessary to*  
 17 *help modernize the defense capabilities of Estonia, subject*  
 18 *to the requirements of subsections (b) through (f) of section*  
 19 *519 of the Foreign Assistance Act of 1961 (22 U.S.C.*  
 20 *2321m).*

21 **(142)**Page 68, line 23, strike out all after “Congress”  
 22 down to and including “96–533” in line 26

23 **(143)**Page 72, line 20, strike out **[I]** and insert: *IV*

1 **(144)**Page 74, line 16, after “prescribe” insert: : *Pro-*  
 2 *vided, That section 1365(c) of the National Defense Author-*  
 3 *ization Act for Fiscal Year 1993 (Public Law 102-484; 22*  
 4 *U.S.C., 2778 note) is amended by striking out “During the*  
 5 *four-year period beginning on October 23, 1992” and in-*  
 6 *serting in lieu thereof “During the five-year period begin-*  
 7 *ning on October 23, 1993”*

8 **(145)**Page 74, strike out all after line 16, over to and  
 9 including line 7 on page 75

10 **(146)**Page 75, lines 17 and 18, strike out **【subsection】**  
 11 and insert: *restriction*

12 **(147)**Page 76, strike out all after line 21, over to and  
 13 including line 8 on page 77

14 **(148)**Page 77, after line 8 insert:

15 *NON-OVERTIME DIFFERENTIAL PAY*

16 *SEC. 562. Title 5 of the United States Code is amended*  
 17 *by inserting the following:*

18 *(1) in section 5541(2)(xiv) after a “Foreign*  
 19 *Service officer” “, except for a Foreign Service Officer*  
 20 *who is a criminal investigator for the Agency for*  
 21 *International Development, Office of Inspector Gen-*  
 22 *eral”.*



1 **(149)**Page 77, strike all after line 8, over to and including  
 2 line 6 on page 78

3 **(150)**Page 78, strike out all after line 6, over to and in-  
 4 cluding line 8 on page 80

5 **(151)**Page 80, line 11, after “565.” insert: *(a) WITH-*  
 6 *HOLDING.*—

7 **(152)**Page 80, after line 17 insert:

8 *(b) EXCEPTIONS.—The requirement of subsection (a)*  
 9 *to withhold assistance shall not apply with respect to—*

10 *(1) assistance to meet urgent humanitarian*  
 11 *needs, including disaster and refugee relief;*

12 *(2) democratic political reform and rule of law*  
 13 *activities;*

14 *(3) the creation of private sector and nongovern-*  
 15 *mental organizations that are independent of govern-*  
 16 *ment control;*

17 *(4) the development of a free market economic*  
 18 *system; and*

19 *(5) assistance for the purposes described in the*  
 20 *Cooperative Threat Reduction Act of 1993 (title XII*  
 21 *of Public Law 103–160).*

22 *(c) DEFINITION.—As used in subsection (a), the term*  
 23 *“assistance” means assistance under the Foreign Assistance*  
 24 *Act of 1961, credits, sales and guarantees of extensions of*

1 *credit under the Arms Export Control Act, assistance under*  
 2 *titles I and III of the Agricultural Trade Development and*  
 3 *Assistance Act of 1954, assistance under the FREEDOM*  
 4 *Support Act of 1992, and any other program of assistance*  
 5 *or credits provided by the United States to other countries*  
 6 *under other provisions of law, except that the term “assist-*  
 7 *ance” does not include humanitarian assistance, including*  
 8 *disaster relief assistance.*

9 **(153)**Page 80, strike out lines 18 through 25

10 **(154)**Page 81, strike out lines 1 through 12

11 **(155)**Page 81, strike out lines 13 through 17

12 **(156)**Page 81, strike out all after line 17, over to and  
 13 including line 2 on page 82

14 **(157)**Page 82, strike out lines 4 through 7 and insert:

15       *SEC. 570. None of the funds made available in this*  
 16 *Act may be used for international narcotics control assist-*  
 17 *ance under chapter 8 of part I of the Foreign Assistance*  
 18 *Act of 1961, or crop substitution assistance, directly for the*  
 19 *Government of Burma unless the Secretary of State certifies*  
 20 *to the appropriate congressional committees that any such*  
 21 *programs are fully consistent with United States human*  
 22 *rights concerns in Burma and serve a vital United States*  
 23 *national interest. The President shall include in the annual*

1 *International Narcotics Control Strategy Report submitted*  
 2 *under chapter 8 of part I of the Foreign Assistance Act of*  
 3 *1961 a description of the programs funded under this sec-*  
 4 *tion.*

5 **(158)**Page 82, after line 7 insert:

6 *ASIAN DEVELOPMENT BANK*

7 *SEC. 570A. The Secretary of the Treasury may, to ful-*  
 8 *fill commitments of the United States, subscribe to and*  
 9 *make payment for shares of the Asian Development Bank*  
 10 *in connection with the fourth general capital increase of*  
 11 *the Bank. The amount authorized to be appropriated for*  
 12 *paid-in shares of the Bank is limited to \$66,614,647; the*  
 13 *amount authorized to be appropriated for payment for call-*  
 14 *able shares of the Bank is limited to \$3,264,178,021. The*  
 15 *amount to be paid in respect of each subscription is author-*  
 16 *ized to be appropriated without fiscal year limitation. Any*  
 17 *subscription by the United States to the capital stock of the*  
 18 *Bank shall be effective only to such extent or in such*  
 19 *amounts as are provided in advance in appropriations*  
 20 *Acts.*

21 **(159)**Page 82, after line 7 insert:

22 *SPECIAL DEBT RELIEF FOR THE POOREST*

23 *SEC. 570B. (a) AUTHORITY TO REDUCE DEBT.—The*  
 24 *President may reduce amounts owed to the United States*

1 *(or any agency of the United States) by an eligible country*  
2 *as a result of—*

3 *(1) guarantees issued under sections 221 and 222*  
4 *of the Foreign Assistance Act of 1961; or*

5 *(2) credits extended or guarantees issued under*  
6 *the Arms Export Control Act.*

7 *(b) LIMITATIONS.—*

8 *(1) The authority provided by subsection (a)*  
9 *may be exercised only to implement multilateral offi-*  
10 *cial debt relief and referendum agreements, commonly*  
11 *referred to as “Paris Club Agreed Minutes”.*

12 *(2) The authority provided by subsection (a)*  
13 *may be exercised only in such amounts or to such ex-*  
14 *tent as is provided in advance by appropriations*  
15 *Acts.*

16 *(3) The authority provided by subsection (a)*  
17 *may be exercised only with respect to countries with*  
18 *heavy debt burdens that are eligible to borrow from*  
19 *the International Development Association, but not*  
20 *from the International Bank for Reconstruction and*  
21 *Development, commonly referred to as “IDA-only”*  
22 *countries.*

23 *(c) CONDITIONS.—The authority provided by sub-*  
24 *section (a) may be exercised only with respect to a country*  
25 *whose government—*

1           (1) *does not have an excessive level of military*  
 2           *expenditures;*

3           (2) *has not repeatedly provided support for acts*  
 4           *of international terrorism;*

5           (3) *is not failing to cooperate on international*  
 6           *narcotics control matters;*

7           (4) *(including its military or other security*  
 8           *forces) does not engage in a consistent pattern of gross*  
 9           *violations of internationally recognized human rights;*  
 10          *and*

11          (5) *is not ineligible for assistance because of the*  
 12          *application of section 527 of the Foreign Relations*  
 13          *Authorization Act, fiscal years 1994 and 1995.*

14          (d) *AVAILABILITY OF FUNDS.—The authority provided*  
 15          *by subsection (a) may be used only with regard to funds*  
 16          *appropriated by this Act under the heading “Debt Restruc-*  
 17          *turing”.*

18          (e) *CERTAIN PROHIBITIONS INAPPLICABLE.—A reduc-*  
 19          *tion of debt pursuant to subsection (a) shall not be consid-*  
 20          *ered assistance for purposes of any provision of law limit-*  
 21          *ing assistance to a country. The authority provided by sub-*  
 22          *section (a) may be exercised notwithstanding section 620(r)*  
 23          *of the Foreign Assistance Act of 1961.*

24    (160)Page 82, strike out lines 8 through 12

1 **(161)**Page 82, strike out all after line 12, over to and  
 2 including line 7 on page 83

3 **(162)**Page 83, strike out lines 8 through 12

4 **(163)**Page 83, strike out lines 13 through 17

5 **(164)**Page 83, after line 17 insert:

6 *KOREAN PENINSULA ENERGY DEVELOPMENT ORGANIZATION*

7 *SEC. 575. No funds may be made available under this*  
 8 *Act to the Korean Peninsula Energy Development Organi-*  
 9 *zation (KEDO) unless the President determines and cer-*  
 10 *tifies in writing to the Committees on Appropriations*  
 11 *that—*

12 *(a) in accordance with Section 1 of the Agreed Frame-*  
 13 *work, KEDO has designated a Republic of Korea company,*  
 14 *corporation or entity for the purpose of negotiating a prime*  
 15 *contract to carry out construction of the light water reactors*  
 16 *provided for in the Agreed Framework; and*

17 *(b) the DPRK is maintaining the freeze on its nuclear*  
 18 *facilities as required in the Agreed Framework; and*

19 *(c) the United States is taking steps to assure that*  
 20 *progress is made on (1) the North South dialogue, including*  
 21 *efforts to reduce barriers to trade and investment, such as*  
 22 *removing restrictions on travel, telecommunications services*  
 23 *and financial transactions; and (2) implementation of the*

1 *January 1, 1992 Joint Declaration on the Denuclearization*  
 2 *of the Korean Peninsula;*

3 *(d) a report on the specific efforts with regard to sub-*  
 4 *section (c) shall be submitted by the President to the Com-*  
 5 *mittees on Appropriations six months after the date of en-*  
 6 *actment, and every six months thereafter.*

7 **(165)**Page 83, after line 17 insert:

8 *DRAWDOWN AUTHORITY FOR JORDAN*

9 *SEC. 576. During fiscal year 1996, the President may*  
 10 *direct, for the purposes of part II of the Foreign Assistance*  
 11 *Act of 1961, the drawdown for Jordan of defense articles*  
 12 *from the stocks of the Department of Defense, defense serv-*  
 13 *ices of the Department of Defense, and military education*  
 14 *and training of up to an aggregate of \$100,000,000: Pro-*  
 15 *vided, That—*

16 *(a) within six months of the last drawdown*  
 17 *under subsection (a), the President shall submit a re-*  
 18 *port to the Committee on Appropriations identifying*  
 19 *the articles, services, training or education provided;*

20 *(b) section 506(c) of the Foreign Assistance Act*  
 21 *of 1961 shall apply to the drawdown authority in this*  
 22 *section; and*

23 *(c) section 632(d) of the Foreign Assistance Act*  
 24 *of 1961 shall not apply with respect to drawdowns*  
 25 *under this section.*

1 **(166)**Page 83, after line 17 insert:

2 ***SEC. 577. FEDERAL PROHIBITION OF FEMALE GENITAL MU-***  
 3 ***TILATION.***

4 *(a) TITLE 18 AMENDMENT.—*

5 *(1) IN GENERAL.—Chapter 7 of title 18, United*  
 6 *States Code, is amended by adding at the end the fol-*  
 7 *lowing new section:*

8 ***“§ 116. Female genital mutilation***

9 *“(a) Except as provided in subsection (b), whoever*  
 10 *knowingly circumcises, excises, or infibulates the whole or*  
 11 *any part of the labia majora or labia minora or clitoris*  
 12 *of another person who has not attained the age of 18 years*  
 13 *shall be fined under this title or imprisoned not more than*  
 14 *5 years, or both.*

15 *“(b) A surgical operation is not a violation of this sec-*  
 16 *tion if the operation is—*

17 *“(1) necessary to the health of the person on*  
 18 *whom it is performed, and is performed by a person*  
 19 *licensed in the place of its performance as a medical*  
 20 *practitioner; or*

21 *“(2) performed on a person in labor or who has*  
 22 *just given birth and is performed for medical pur-*  
 23 *poses connected with that labor or birth by a person*  
 24 *licensed in the place it is performed as a medical*



1        *practitioner, midwife, or person in training to become*  
 2        *such a practitioner or midwife.*

3        “(c) *In applying subsection (b)(1), no account shall*  
 4        *be taken of the effect on the person on whom the operation*  
 5        *is to be performed of any belief on the part of that or any*  
 6        *other person that the operation is required as a matter of*  
 7        *custom or ritual.*

8        “(d) *Whoever knowingly denies to any person medical*  
 9        *care or services or otherwise discriminates against any per-*  
 10       *son in the provision of medical care or services, because—*

11                “(1) *that person has undergone female circumci-*  
 12        *sion, excision, or infibulation; or*

13                “(2) *that person has requested that female cir-*  
 14        *cumcision, excision, or infibulation be performed on*  
 15        *any person;*

16        *shall be fined under this title or imprisoned not more than*  
 17        *one year, or both.”.*

18                (2) *CLERICAL AMENDMENT.—The table of sec-*  
 19        *tions at the beginning of chapter 7 of title 18, United*  
 20        *States Code, is amended by adding at the end the fol-*  
 21        *lowing new item:*

*“116. Female genital mutilation.”.*

22                (b) *INFORMATION AND EDUCATION REGARDING FE-*  
 23        *MALE GENITAL MUTILATION.—*

1           (1) *IN GENERAL.*—*The Secretary of Health and*  
2           *Human Services shall carry out the following activi-*  
3           *ties:*

4                   (A) *Compile data on the number of females*  
5                   *living in the United States who have been sub-*  
6                   *jected to female genital mutilation (whether in*  
7                   *the United States or in their countries of origin),*  
8                   *including a specification of the number of girls*  
9                   *under the age of 18 who have been subjected to*  
10                  *such mutilation.*

11                  (B) *Identify communities in the United*  
12                  *States that practice female genital mutilation,*  
13                  *and design and carry out outreach activities to*  
14                  *educate individuals in the communities on the*  
15                  *physical and psychological health effects of such*  
16                  *practice. Such outreach activities shall be de-*  
17                  *signed and implemented in collaboration with*  
18                  *representatives of the ethnic groups practicing*  
19                  *such mutilation and with representatives of or-*  
20                  *ganizations with expertise in preventing such*  
21                  *practice.*

22                  (C) *Develop recommendations for the edu-*  
23                  *cation of students of schools of medicine and os-*  
24                  *teopathic medicine regarding female genital mu-*  
25                  *tilation and complications arising from such*

8 (c) *EFFECTIVE DATES.*—

13                   (2) Subsection (a) shall take effect 180 days after  
14                   the date of the enactment of this Act.

15 **(167)**Page 83, after line 17 insert:

17        *SEC. 578. (a) The Congress finds that—*

(2) after nearly six years of conflict, on August 19, 1995, the Liberia factions signed a peace agreement in Abuja, Nigeria; and

1           (3) *the Liberian faction leaders and regional*  
 2           *powers appear to be committed to the most recent*  
 3           *peace accord, including the installation of the new*  
 4           *ruling council.*

5           (b) *It is the sense of the Congress that the United States*  
 6           *should strongly support the peace process in Liberia, in-*  
 7           *cluding diplomatic engagement, support for the west Africa*  
 8           *peacekeeping force, humanitarian assistance, and assist-*  
 9           *ance for demobilizing troops and for the resettlement of refu-*  
 10          *gees.*

11          (c) *Section 1(b)(2) of Public Law 102–270 is amended*  
 12          *by striking “to implement the Yamoussoukro accord”.*

13   **(168)**Page 83, after line 17 insert:

14          *SEC. 579. INDEX OF ECONOMIC FREEDOM.*

15          (a) *REPORTING REQUIREMENT.—The President shall*  
 16          *include in the congressional presentation materials on*  
 17          *United States bilateral economic assistance submitted to the*  
 18          *appropriate congressional committees for a fiscal year a re-*  
 19          *port providing a concise overview of the prospects for eco-*  
 20          *nomie growth on a broad, equitable, and sustainable basis*  
 21          *in the countries receiving economic assistance under title*  
 22          *II of this Act. For each country, the report shall discuss*  
 23          *the laws, policies and practices of that country that most*  
 24          *contribute to or detract from the achievement of this kind*  
 25          *of growth. The report should address relevant macro-*

1 *economic, microeconomic, social, legal, environmental, and*  
 2 *political factors and include economic freedom criteria re-*  
 3 *garding policies wage and price controls, State ownership*  
 4 *of production and distribution, State control of financial*  
 5 *institutions, trade and foreign investment, capital and*  
 6 *profit repatriation, tax and private property protections.*

7 (b) COUNTRIES.—*The countries referred to in sub-*  
 8 *section (a) are countries—*

9 (1) *for which in excess a total of \$5,000,000 has*  
 10 *been obligated during the previous fiscal year for as-*  
 11 *sistance under sections 103 through 106, chapters 10*  
 12 *and 11 of part I, and chapter 4 of part II of the For-*  
 13 *ign Assistance Act of 1961, and under the Support*  
 14 *for Eastern Democracy Act of 1989; or*

15 (2) *for which in excess of \$1,000,000 has been ob-*  
 16 *ligated during the previous fiscal year for assistance*  
 17 *administered by the Overseas Private Investment Cor-*  
 18 *poration.*

19 (c) CONSULTATION.—*The Secretary of State shall sub-*  
 20 *mit the report required by subsection (a) in consultation*  
 21 *with the Secretary of the Treasury, the Administrator of*  
 22 *the Agency for International Development, and the Presi-*  
 23 *dent of the Overseas Private Investment Corporation.*

24 (169)Page 83, after line 17 insert:

1        *SEC. 580. To the maximum extent possible, the funds*  
 2        *provided by this Act shall be used to provide surveying and*  
 3        *mapping related services through contracts entered into*  
 4        *through competitive bidding to qualified United States con-*  
 5        *tractors.*

6        **(170)**Page 83, after line 17 insert:

7        ***SEC. 581. ENERGY SAVINGS AT FEDERAL FACILITIES.***

8        *(a) REDUCTION IN FACILITIES ENERGY COSTS.—The*  
 9        *head of each agency for which funds are made available*  
 10       *under this Act shall take all actions necessary to achieve*  
 11       *during fiscal year 1996 a 5 percent reduction, from fiscal*  
 12       *year 1995 levels, in the energy costs of the facilities used*  
 13       *by the agency.*

14       *(b) USE OF COST SAVINGS.—An amount equal to the*  
 15       *amount of cost savings realized by an agency under sub-*  
 16       *section (a) shall remain available for obligation through the*  
 17       *end of fiscal year 1997, without further authorization or*  
 18       *appropriation, as follows:*

19                *(1) CONSERVATION MEASURES.—Fifty percent of*  
 20        *the amount shall remain available for the implemen-*  
 21        *tation of additional energy conservation measures*  
 22        *and for water conservation measures at such facilities*  
 23        *used by the agency as are designated by the head of*  
 24        *the agency.*

1           (2) *OTHER PURPOSES.*—Fifty percent of the  
 2           amount shall remain available for use by the agency  
 3           for such purposes as are designated by the head of the  
 4           agency, consistent with applicable law.

5           (c) *REPORT.*—

6           (1) *IN GENERAL.*—Not later than December 31,  
 7           1996, the head of each agency described in subsection  
 8           (a) shall submit a report to Congress specifying the  
 9           results of the actions taken under subsection (a) and  
 10          providing any recommendations concerning how to  
 11          further reduce energy costs and energy consumption  
 12          in the future.

13          (2) *CONTENTS.*—Each report shall—

14               (A) specify the total energy costs of the fa-  
 15               cilities used by the agency;

16               (B) identify the reductions achieved; and

17               (C) specify the actions that resulted in the  
 18               reductions.

19   **(171)**Page 83, after line 17 insert:

20       *SEC. 582. REPORTS REGARDING HONG KONG.*

21       (a) *EXTENSION OF REPORTING REQUIREMENT.*—Sec-  
 22       tion 301 of the United States-Hong Kong Policy Act of 1992  
 23       (22 U.S.C. 5731) is amended in the text above paragraph  
 24       (1)—

1           (1) by inserting “March 31, 1996,” after “March  
2       31, 1995,”; and

3           (2) by striking “and March 31, 2000,” and in-  
4       serting “March 31, 2000, and every year thereafter,”.

5       (b) *ADDITIONAL REQUIREMENTS.*—In light of defi-  
6       ciencies in reports submitted to the Congress pursuant to  
7       section 301 of the United States-Hong Kong Policy Act (22  
8       U.S.C. 5731), the Congress directs that reports required to  
9       be submitted under that section on or after the date of enact-  
10      ment of this Act include detailed information on the status  
11      of, and other developments affecting, implementation of the  
12      Sino-British Joint Declaration on the Question of Hong  
13      Kong, including—

14           (1) the Basic Law and its consistency with the  
15      Joint Declaration;

16           (2) the openness and fairness of elections to the  
17      legislature;

18           (3) the openness and fairness of the election of  
19      the chief executive and the executive’s accountability  
20      to the legislature;

21           (4) the treatment of political parties;

22           (5) the independence of the judiciary and its  
23      ability to exercise the power of final judgment over  
24      Hong Kong law; and

25           (6) the Bill of Rights.



1 **(172)**Page 83, after line 17 insert:

2       *SEC. 583. HONDURAS.*

3       *(a) FINDINGS.—The Congress makes the following*  
4 *findings:*

5           *(1) In 1981, a secret Honduran army death*  
6 *squad known as Battalion 316 was created. During*  
7 *the 1980's Battalion 316 engaged in a campaign of*  
8 *systematically kidnapping, torturing and murdering*  
9 *suspected subversives. Victims included Honduran*  
10 *students, teachers, labor leaders and journalists. In*  
11 *1993 there were reportedly 184 unsolved cases of per-*  
12 *sons who were allegedly “disappeared”. They are pre-*  
13 *sumed dead.*

14           *(2) At the time, Administration officials were*  
15 *aware of the activities of Battalion 316, but in its*  
16 *1983 human rights report the State Department stat-*  
17 *ed that “There are no political prisoners in Hon-*  
18 *duras”.*

19       *(b) DECLASSIFICATION OF DOCUMENTS.—It is the*  
20 *sense of the Congress that the President should order the*  
21 *expedited declassification of any documents in the posses-*  
22 *sion of the United States Government pertaining to persons*  
23 *who allegedly “disappeared” in Honduras, and promptly*  
24 *make such documents available to Honduran authorities*  
25 *who are seeking to determine the fate of these individuals.*

1 **(173)**Page 83, after line 17 insert:

2 ***SEC. 584. REPORT ON RUSSIAN MILITARY OPERATIONS.***

3       *(a) No later than three months after the date of enact-*  
 4 *ment of this Act, the President shall declassify, to the maxi-*  
 5 *imum extent possible, and resubmit to the Congress the re-*  
 6 *port submitted to the Congress pursuant to section 528 of*  
 7 *Public Law 103–236, with an addendum updating the in-*  
 8 *formation in the report.*

9       *(b) The addendum referred to in subsection (a) shall*  
 10 *be unclassified to the maximum extent possible and shall*  
 11 *address, inter alia—*

12               *(1) Russian compliance or lack of compliance*  
 13 *with the Russian-Moldovan agreement of October 24,*  
 14 *1994, providing for the withdrawal of Russian mili-*  
 15 *tary forces from Moldova, subsequent Russian deploy-*  
 16 *ments of military forces to Moldova and Russian ef-*  
 17 *forts to secure long-term military basing rights in*  
 18 *Moldova;*

19               *(2) possible Russian complicity in the coup at-*  
 20 *tempt of September-October 1994 against the Govern-*  
 21 *ment of Azerbaijan and the exertion of Russian pres-*  
 22 *sure to influence decisions regarding the path of pipe-*  
 23 *lines that will carry Azerbaijani oil;*

24               *(3) Russian efforts or agreements to assume par-*  
 25 *tial or complete responsibility for securing the borders*

1       of countries other than Russia, using troops of the  
 2       Russian Ministry of Defense, Ministry of the Interior  
 3       or any other security agency of the Russian Federa-  
 4       tion;

5               (4) Russian efforts to integrate its armed forces,  
 6       other security forces, or intelligence agencies with  
 7       those of any other country and the relationship of  
 8       such efforts to the development of institutions under  
 9       the Commonwealth of Independent States; and

10              (5) Russian compliance with the Treaty on Con-  
 11       ventional Armed Forces in Europe and the Organiza-  
 12       tion on Security and Cooperation in Europe's Code  
 13       of Conduct on the Politico-Military Aspects of Secu-  
 14       rity.

15   **(174)**Page 83, after line 17 insert:

16   LIMITATION ON ASSISTANCE TO COUNTRIES THAT RE-  
 17       STRICT THE TRANSPORT OR DELIVERY OF UNITED  
 18       STATES HUMANITARIAN ASSISTANCE

19       SEC. 585. (a) IN GENERAL.—None of the funds made  
 20   available in this Act may be used for assistance in support  
 21   of any country when it is made known to the President  
 22   that the government of such country prohibits or otherwise  
 23   restricts, directly or indirectly, the transport or delivery of  
 24   United States humanitarian assistance.

1       (b) *EXCEPTION.*—*Subsection (a) shall not apply to as-*  
 2 *istance in support of any country when it is made known*  
 3 *to the President that the assistance is in the national secu-*  
 4 *rity interest of the United States.*

5   **(175)**Page 83, after line 17 insert:

6       *SEC. 586. Notwithstanding any other provision of this*  
 7 *Act, \$20,000,000 of the funds made available under this Act*  
 8 *for or through the Agency for International Development*  
 9 *shall be transferred to, and merged with, the appropriations*  
 10 *account entitled “INTERNATIONAL NARCOTICS CONTROL”*  
 11 *and shall be available for the same purposes for which funds*  
 12 *in such account are available.*

13   **(176)**Page 83, after line 17 insert:

14   *SEC. 587. GUATEMALA.*

15       (a) *FINDINGS.*—*The Congress makes the following*  
 16 *findings:*

17           (1) *The Government of Guatemala, under Presi-*  
 18       *dent De Leon Carpio, has made significant progress*  
 19       *towards negotiating an end to Guatemala’s civil con-*  
 20       *flict which has resulted in numerous human rights*  
 21       *violations, claimed tens of thousands of lives and im-*  
 22       *peded economic development in that country;*

23           (2) *President De Leon Carpio has taken steps to*  
 24       *improve human rights, including his support for the*  
 25       *United Nations mission for the verification of human*

1        *rights and of compliance with the commitments of the*  
2        *comprehensive agreement of human rights in Guate-*  
3        *mala (Minugua) and his recent decision to abolish the*  
4        *military commissioners, but his efforts to bring*  
5        *human rights violators to justice have been impeded*  
6        *by certain members of the Guatemalan armed forces;*

7            *(3) Despite numerous appeals by the families of*  
8        *victims of human rights abuses, human rights organi-*  
9        *zations and Members of the United States Congress,*  
10       *there has been minimal progress towards resolving*  
11       *specific human rights cases including cases involving*  
12       *American citizens or their relatives;*

13           *(4) President De Leon Carpio deserves the sup-*  
14       *port of the United States in his efforts to resolve Gua-*  
15       *temala's conflict peacefully, to support Democratic*  
16       *elections, and to improve respect for human rights.*

17       *(b) LIMITATIONS.—Notwithstanding any other provi-*  
18       *sions of law—*

19           *(1) No assistance in this act or any other act*  
20       *shall be made available to the Guatemalan Armed*  
21       *Forces or the URNG;*

22           *(2) No sales of defense articles or services shall*  
23       *be licensed or approved for Guatemala for the Armed*  
24       *Forces or URNG; and*

1           (3) *No visas shall be granted for any member of*  
2           *the Guatemalan Armed Forces or the URNG sus-*  
3           *pected of participating in or ordering any violation*  
4           *of human rights or of seeking to coverup or otherwise*  
5           *thwart the investigation of such acts.*

6           (c) *CERTIFICATION.—The limitations contained in*  
7           *subsection (b) shall cease to apply when the President cer-*  
8           *tifies to the Committee on Appropriations and the Commit-*  
9           *tee on Foreign Relations that—*

10           (1) *The Guatemalan Armed Forces and the*  
11           *URNG are fully cooperating with efforts—*

12                   (A) *By the family of United States citizen*  
13                   *Michael Devine who was murdered in 1990 to*  
14                   *bring to justice those responsible for the murder*  
15                   *or coverup of the murder;*

16                   (B) *The October 1994 murders of Roderico*  
17                   *Baudilio De Leon and Flavio Matias Marroquin*

18                   (C) *By Jennifer Harbury to exhume the*  
19                   *body of her husband, Efraim Bamaca Velasquez;*  
20                   *and*

21                   (D) *By human rights organizations and the*  
22                   *Guatemalan Attorney General to investigate and*  
23                   *bring to justice those involved in the prominent*  
24                   *human rights cases committed by both sides to*  
25                   *the conflict, including those cases enumerated in*

1           *the April 7, 1995 letter to President Clinton by*  
 2           *twelve Members of the United States Senate.*

3           *(2) The Guatemalan Government and Armed*  
 4           *Forces are complying with the recommendations in*  
 5           *Minugua's first and second reports, particularly those*  
 6           *related to the investigation and prosecution of human*  
 7           *rights cases.*

8           *(3) The United States Representative to the*  
 9           *United Nations Human Rights Commission has con-*  
 10          *sulted with Representatives of other member States to*  
 11          *determine whether respect for human rights would be*  
 12          *enhanced by the appointment of a special United Na-*  
 13          *tions Rapporteur for Guatemala.*

14   **(177)**Page 83, after line 17 insert:

15          *SEC. 588. (a) The Senate finds the following:*

16           *(1) Since March 1995 the Peruvian Government*  
 17           *has engaged in an aggressive air interdiction pro-*  
 18           *gram to prevent narcotics traffickers from violating*  
 19           *Peruvian airspace for the purpose of transporting il-*  
 20           *legal narcotics to Colombia.*

21           *(2) As a result of the Peruvian interdiction pro-*  
 22           *gram, the number of illicit flights detected in recent*  
 23           *months has dropped to its lowest level in over three*  
 24           *years and the price of transporting narcotics out of*  
 25           *Peru has risen by as much as 500 percent.*

1           (3) *The inability of the traffickers to move co-*  
2           *caine base out of Peru has produced a glut of coca*  
3           *leaf and cocaine base in Peru with a resulting 50 per-*  
4           *cent decline in the price.*

5           (4) *The Peruvian Government's ability to sus-*  
6           *tain the success of its interdiction program is depend-*  
7           *ent on the maintenance and upkeep of a very limited*  
8           *number of aircraft.*

9           (5) *As a result of the internal Peruvian political*  
10          *situation and the conflict earlier this year between*  
11          *Peru and Ecuador, the United States suspended mili-*  
12          *tary transfers to Peru.*

13          (6) *As much as 80 percent of the cocaine that*  
14          *reaches the United States comes from coca grown in*  
15          *Peru and the disruption of the air corridor between*  
16          *Peru and Colombia is important to United States*  
17          *counter narcotics efforts.*

18          (7) *The situations which led to the cutoff of mili-*  
19          *tary equipment for the air interdiction effort have*  
20          *been satisfactorily resolved or have progressed to a*  
21          *point where the cutoff of this military equipment is*  
22          *no longer in the interest of the United States.*

23          (b) *It is the sense of the Senate that the President*  
24          *should, as soon as possible, provide limited spare parts and*  
25          *other military equipment to the Government of Peru in sup-*



1 *port of Peruvian Air Force efforts to monitor, intercept and*  
 2 *interdict aircraft and other forms of transportation engaged*  
 3 *in illegal narcotics trafficking activities.*

4 **(178)**Page 83, after line 17 insert:

5       *SEC. 589. Of the funds appropriated for Turkey under*  
 6 *the heading “Economic Assistance”, not less than*  
 7 *\$5,000,000 shall be made available only through non-gov-*  
 8 *ernmental organizations to be used only for projects in the*  
 9 *ten southeastern provinces currently under a state of emer-*  
 10 *gency, and shall be used only for projects designed to pro-*  
 11 *mote economic development, cultural and ethnic tolerance,*  
 12 *and human rights activities, and to support the develop-*  
 13 *ment and activities of non-governmental organizations.*

14 **(179)**Page 83, after line 17 insert:

15 ***SEC. 590. HONG KONG ELECTIONS.***

16       *(a) FINDINGS.—The Congress finds the following:*

17               *(1) The right to an elected legislature in Hong*  
 18       *Kong is guaranteed by the 1984 Sino-British Joint*  
 19       *Declaration on the Question of Hong Kong.*

20               *(2) The United States-Hong Kong Policy Act de-*  
 21       *clared the Congress’s support for full implementation*  
 22       *of the 1984 Sino-British Joint Declaration;*

23               *(3) The People’s Republic of China declared in*  
 24       *the Joint Declaration that Hong Kong would be*  
 25       *“vested legislative, executive and independent judicial*

1       *power” and would have “a legislature constituted by*  
2       *elections”.*

3               *(4) On September 17, 1995, the highest number*  
4       *of Hong Kong voters ever demonstrated their commit-*  
5       *ment to democracy by freely expressing their right to*  
6       *vote in the Legislative Council elections.*

7               *(5) The voters of Hong Kong have overwhelm-*  
8       *ingly expressed their desire for the establishment of a*  
9       *fully democratic government by electing 60 Legisla-*  
10       *tive Councillors for four-year terms.*

11       *(b) SENSE OF CONGRESS.—It is the sense of the Con-*  
12       *gress that—*

13               *(1) the people of Hong Kong are to be congratu-*  
14       *lated for exercising their right to vote on September*  
15       *17, 1995;*

16               *(2) the People’s Republic of China should respect*  
17       *the clear will of the people of Hong Kong to have a*  
18       *fully democratic government;*

19               *(3) the Government of the People’s Republic of*  
20       *China should enter into a dialogue with the democrat-*  
21       *ically elected representatives of the Hong Kong people;*  
22       *and*

23               *(4) the Government of the People’s Republic of*  
24       *China should respect the mandate of the elected mem-*  
25       *bers by withdrawing its pledge to abolish the Legisla-*

1        *tive Council in violation of the Joint Declaration's*  
 2        *provisions on Hong Kong's legislature and autonomy*  
 3        *in all but defense and foreign affairs.*

4    **(180)**Page 83, after line 17 insert:

5        *SEC. 591. SENSE OF THE SENATE ON THAILAND.*

6        *(a) FINDINGS.—The Senate makes the following find-*  
 7        *ings—*

8                *(1) the Royal Thai Government has had a policy*  
 9        *of not supporting or cooperating with the Khmer*  
 10        *Rouge; and*

11                *(2) Thailand is host to large numbers of persons*  
 12        *displaced from neighboring countries, including*  
 13        *Burma, placing a significant burden on Thailand's*  
 14        *economy.*

15        *(b) SENSE OF THE SENATE.—It is the sense of the Sen-*  
 16        *ate that the President should—*

17                *(1) affirm to the Royal Thai Government the*  
 18        *support of the United States for that Government's*  
 19        *policy not to support or cooperate with the Khmer*  
 20        *Rouge and encourage the Royal Thai Government to*  
 21        *prosecute vigorously its efforts to prevent cooperation*  
 22        *between individual members of the Royal Thai Armed*  
 23        *Forces and the Khmer Rouge; and*

24                *(2) take appropriate steps to assist the Royal*  
 25        *Thai Government in providing and facilitating relief*

1        *to displaced persons from Burma and other neighbor-*  
 2        *ing countries and to encourage that Government to*  
 3        *fully cooperate in such relief efforts.*

4    **(181)**Page 83, after line 17 insert:

5        *SEC. 592. EXTENSION OF TIED AID CREDIT PRO-*  
 6        *GRAM.—(a) Section 10(c)(2) of the Export-Import Bank*  
 7        *Act of 1945 (12 U.S.C. 635i–3(c)(2)) is amended by striking*  
 8        *“1995” and inserting “1997”.*

9        *(b) Section 10(e) of the Export-Import Bank Act of*  
 10       *1945 (12 U.S.C. 635i–3(e)) is amended by striking “1993,*  
 11       *1994, and 1995” and inserting “1996 and 1997”.*

12       *SEC. 593. AUTHORITY TO CONDUCT A DEMONSTRA-*  
 13       *TION PROJECT.—Notwithstanding section 4701(a)(1)(A) of*  
 14       *title 5, United States Code, the Export-Import Bank of the*  
 15       *United States may conduct a demonstration project in ac-*  
 16       *cordance with section 4703 of such title 5.*

17    **(182)**Page 83, after line 17 insert:

18                                *CONVENTIONAL WEAPONS REVIEW*

19        *SEC. 594. (a) FINDINGS.—The Congress makes the fol-*  
 20        *lowing findings:*

21                *(1) On September 26, 1994, the President de-*  
 22        *clared that it is a goal of the United States to eventu-*  
 23        *ally eliminate antipersonnel landmines.*

24                *(2) On December 15, 1994, the United Nations*  
 25        *General Assembly adopted a resolution sponsored by*

1        *the United States which called for international ef-*  
2        *forts to eliminate antipersonnel landmines.*

3            (3) *According to the Department of State, there*  
4        *are an estimated 80,000,000 to 110,000,000*  
5        *unexploded landmines in 62 countries.*

6            (4) *Antipersonnel landmines are routinely used*  
7        *against civilian populations and kill and maim an*  
8        *estimated 70 people each day, or 26,000 people each*  
9        *year.*

10          (5) *The Secretary of State has noted that land-*  
11        *mines are “slow-motion weapons of mass destruc-*  
12        *tion”.*

13          (6) *There are hundreds of varieties of anti-*  
14        *personnel landmines, from a simple type available at*  
15        *a cost of only two dollars to the more complex self-*  
16        *destructing type, and all landmines of whatever vari-*  
17        *ety kill and maim civilians, as well as combatants,*  
18        *indiscriminately.*

19          (b) *CONVENTIONAL WEAPONS CONVENTION REVIEW.—*  
20        *It is the sense of Congress that, at the United Nations con-*  
21        *ference to review the 1980 Conventional Weapons Conven-*  
22        *tion, including Protocol II on landmines, that is to be held*  
23        *from September 25 to October 13, 1995, the President*  
24        *should actively support proposals to modify Protocol II that*

1 *would implement as rapidly as possible the United States*  
2 *goal of eventually eliminating antipersonnel landmines.*

3 (c) *MORATORIUM ON USE OF ANTIPERSONNEL LAND-*  
4 *MINES.—(1) UNITED STATES MORATORIUM.—(A) For a pe-*  
5 *riod of one year beginning three years after the date of the*  
6 *enactment of this Act, the United States shall not use anti-*  
7 *personnel landmines except along internationally recog-*  
8 *nized national borders or in demilitarized zones within a*  
9 *perimeter marked area that is monitored by military per-*  
10 *sonnel and protected by adequate means to ensure the exclu-*  
11 *sion of civilians.*

12 (B) *If the President determines, before the end of the*  
13 *one year period of the United States moratorium under sub-*  
14 *paragraph (A), that the governments of other nations are*  
15 *implementing moratoria on use of antipersonnel landmines*  
16 *similar to the United States moratorium, the President*  
17 *may extend the period of the United States moratorium for*  
18 *such additional period as the President considers appro-*  
19 *priate.*

20 (2) *OTHER NATIONS.—It is the sense of Congress that*  
21 *the President should actively encourage the governments of*  
22 *other nations to join the United States in solving the global*  
23 *landmine crisis by implementing moratoria on use of anti-*  
24 *personnel landmines similar to the United States morato-*

1 rium as a step toward the elimination of antipersonnel  
2 landmines.

3 (d) *ANTIPERSONNEL LANDMINE EXPORTS.*—It is the  
4 sense of Congress that, consistent with the United States  
5 moratorium on exports of antipersonnel landmines and in  
6 order to further discourage the global proliferation of anti-  
7 personnel landmines, the United States Government should  
8 not sell, license for export, or otherwise transfer defense arti-  
9 cles and services to any foreign government which, as deter-  
10 mined by the President, sells, exports, or otherwise transfers  
11 antipersonnel landmines.

12 (e) *DEFINITIONS.*—For purposes of this Act:

13 (1) *ANTIPERSONNEL LANDMINE.*—(A) The term  
14 “antipersonnel landmine” means any munition  
15 placed under, on, or near the ground or other surface  
16 area, delivered by artillery, rocket, mortar, or similar  
17 means, or dropped from an aircraft and which is de-  
18 signed, constructed, or adapted to be detonated or ex-  
19 ploded by the presence, proximity, or contact of a per-  
20 son.

21 (B) The term “antipersonnel landmine” does not  
22 include command detonated Claymore munitions.

23 (2) *1980 CONVENTIONAL WEAPONS CONVEN-*  
24 *TION.*—The term “1980 Conventional Weapons Con-  
25 vention” means the Convention on Prohibitions or

1       *Restrictions on the Use of Certain Conventional*  
 2       *Weapons Which May Be Deemed To Be Excessively*  
 3       *Injurious or To Have Indiscriminate Effects, together*  
 4       *with the protocols relating thereto, done at Geneva on*  
 5       *October 10, 1980.*

6   **(183)**Page 83, after line 17 insert:

7   ***SEC. 595. EXTENSION OF AU PAIR PROGRAMS.***

8       *Section 8 of the Eisenhower Exchange Fellowship Act*  
 9       *of 1990 is amended in the last sentence by striking “fiscal*  
 10       *year 1995” and inserting “fiscal year 1998”.*

11   **(184)**Page 83, after line 17 insert:

12       *SEC. 596. Funds appropriated by this Act may be obli-*  
 13       *gated and expended notwithstanding section 10 of Public*  
 14       *Law 91–672 and section 15 of the State Department Basic*  
 15       *Authorities Act of 1956: Provided, That this section shall*  
 16       *not apply with respect to any accounts for which a general*  
 17       *authorization of appropriations for fiscal year 1996 is en-*  
 18       *acted in law on or before April 1, 1996.*

19   **(185)**Page 83, after line 17 insert:

20   ***SEC. 597. CROATIAN-AMERICAN ENTERPRISE FUND.***

21       *(a) DESIGNATION OF FUND.—The President shall des-*  
 22       *ignate a private, nonprofit organization as eligible to re-*  
 23       *ceive funds and support pursuant to this section with re-*  
 24       *spect to Croatia in the same manner and with the same*



1 *limitations as set forth in section 201(d) of the Support*  
2 *for East European Democracy (SEED) Act of 1989. Such*  
3 *organization shall be known as the “Croatian-American*  
4 *Enterprise Fund”.*

5       (b) *APPLICATION OF SEED ACT.—Except as otherwise*  
6 *specifically provided in this section, the provisions con-*  
7 *tained in section 201 of the Support for East European*  
8 *Democracy (SEED) Act of 1989 (excluding the authoriza-*  
9 *tions of appropriations provided in subsection (b) of that*  
10 *section) shall apply to the Croatian-American Enterprise*  
11 *Fund. The officers, members, or employees of the Croatian-*  
12 *American Enterprise Fund shall enjoy the same status*  
13 *under law that is applicable to officers, members, or em-*  
14 *ployees of the Enterprise Funds for Poland and Hungary*  
15 *under the Support for East European Democracy (SEED)*  
16 *Act of 1989.*

17       (c) *AUTHORIZATION OF APPROPRIATIONS.—(1) There*  
18 *are authorized to be appropriated to the President for pur-*  
19 *poses of this section, in addition to funds otherwise avail-*  
20 *able for such purposes, \$12,000,000 for fiscal year 1996 to*  
21 *fund the Croatian-American Enterprise Fund established*  
22 *under subsection (a).*

23       (2) *Funds appropriated under this subsection are au-*  
24 *thorized to remain available until expended.*

1       (d) *APPROPRIATIONS.*—*Of the funds appropriated or*  
 2 *otherwise made available by this Act under the heading en-*  
 3 *titled “ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC*  
 4 *STATES”, \$12,000,000 shall be available only to support the*  
 5 *Croatian-American Fund established by subsection (a).*

6   **(186)**Page 83, after line 17 insert:

7   ***SEC. 598. SANCTIONS AGAINST COUNTRIES HARBORING***  
 8                               ***WAR CRIMINALS.***

9       (a) *BILATERAL ASSISTANCE.*—*Assistance may not be*  
 10 *provided in any fiscal year under the Foreign Assistance*  
 11 *Act of 1961 or the Arms Export Control Act for any country*  
 12 *described in subsection (c).*

13       (b) *MULTILATERAL ASSISTANCE.*—*The Secretary of*  
 14 *the Treasury shall instruct the United States executive di-*  
 15 *rectors of the international financial institutions each fiscal*  
 16 *year to work in opposition to, and vote against, any exten-*  
 17 *sion by such institutions of financing or financial or tech-*  
 18 *nical assistance to any country described in subsection (c).*

19       (c) *SANCTIONED COUNTRIES.*—*A country described in*  
 20 *this subsection is a country the government of which per-*  
 21 *mits entry into or presence in the territory of such country*  
 22 *to any person—*

23               (1) *who has been indicted by the International*  
 24 *Criminal Tribunal for the former Yugoslavia, the*  
 25 *International Criminal Tribunal for Rwanda, or any*

1     *other international tribunal with similar standing*  
 2     *under international law, or*

3             *(2) who has been indicted for war crimes or*  
 4     *crimes against humanity committed during the pe-*  
 5     *riod beginning March 23, 1933 and ending on May*  
 6     *8, 1945 under the direction of, or in association*  
 7     *with—*

8             *(A) the Nazi government of Germany;*

9             *(B) any government in any area occupied*  
 10     *by the military forces of the Nazi government of*  
 11     *Germany;*

12             *(C) any government which was established*  
 13     *with the assistance or cooperation of the Nazi*  
 14     *government of Germany; or*

15             *(D) any government which was an ally of*  
 16     *the Nazi government of Germany.*

17     *(d) DEFINITIONS.—As used in this section—*

18             *(1) the term “international financial institu-*  
 19     *tions” includes the International Bank for Recon-*  
 20     *struction and Development, the International Devel-*  
 21     *opment Association, the International Monetary*  
 22     *Fund, the European Bank for Reconstruction and De-*  
 23     *velopment, the International Finance Corporation,*  
 24     *the Multilateral Investment Guarantee Agency, the*  
 25     *Inter-American Development Bank, the Inter-Amer-*

1        *ican Investment Corporation, the African Develop-*  
 2        *ment Bank, the African Development Fund, and the*  
 3        *Asian Development Bank; and*

4            (2) *the term “war crime” includes any offense*  
 5        *which is—*

6            (A) *a grave breach of any of the four Gene-*  
 7        *va Conventions for the Protection of War Victims*  
 8        *of August 12, 1949;*

9            (B) *a violation of the Hague Convention*  
 10        *(IV) Respecting the Laws and Customs of War*  
 11        *on Land of October 18, 1907, or the Regulations*  
 12        *annexed thereto;*

13            (C) *a violation of the Convention on the*  
 14        *Prevention and Punishment of the Crime of*  
 15        *Genocide of December 9, 1948; or*

16            (D) *a violation of the Charter of the Inter-*  
 17        *national Military Tribunal of August 8, 1945.*

18    **(187)**Page 83, after line 17 insert:

19        *SEC. 599. RUSSIAN COMPLIANCE WITH THE CFE*  
 20        *TREATY AND PRIORITIES FOR MODIFYING EXISTING ARMS*  
 21        *CONTROL TREATIES.—It is the sense of the Senate that—*

22            (a) *the failure by the Russian Federation to meet any*  
 23        *obligation under the Treaty of the Conventional Armed*  
 24        *Forces in Europe shall constitute non-compliance with the*  
 25        *Treaty;*

1       (b) the United States should insist on full compliance  
 2 by the Russian Federation with all of the obligations of the  
 3 Treaty on Conventional Armed Forces in Europe;

4       (c) the Treaty on Conventional Armed Forces in Eu-  
 5 rope provides adequate means by which the Russian Fed-  
 6 eration can meet its claimed military requirements for trea-  
 7 ty-limited equipment in the flank zone defined by Article  
 8 V of the Treaty, including movement of equipment within  
 9 the flank zone, temporary deployment of additional equip-  
 10 ment to the flank zone, and the temporary removal of equip-  
 11 ment from designated permanent storage sites located in the  
 12 flank zone.

13 (188)Page 83, after line 17 insert:

14       *TITLE VI—MIDDLE EAST PEACE FACILITATION*

15                               *ACT OF 1995*

16                               *SHORT TITLE*

17       *SEC. 601. This title may be cited as the “Middle East*  
 18 *Peace Facilitation Act of 1995”.*

19                               *FINDINGS*

20       *SEC. 602. The Congress finds that—*

21               (1) the Palestine Liberation Organization (here-  
 22 after the “P.L.O.”) has recognized the State of Israel’s  
 23 right to exist in peace and security; accepted United  
 24 Nations Security Council Resolutions 242 and 338;  
 25 committed itself to the peace process and peaceful co-

1       *existence with Israel, free from violence and all other*  
2       *acts which endanger peace and stability; and assumed*  
3       *responsibility over all P.L.O. elements and personnel*  
4       *in order to assure their compliance, prevent viola-*  
5       *tions, and discipline violators;*

6               *(2) Israel has recognized the P.L.O. as the rep-*  
7       *resentative of the Palestinian people;*

8               *(3) Israel and the P.L.O. signed a Declaration of*  
9       *Principles on Interim Self-Government Arrangements*  
10       *(hereafter the “Declaration of Principles”) on Sep-*  
11       *tember 13, 1993 at the White House;*

12               *(4) Israel and the P.L.O. signed an Agreement*  
13       *on the Gaza Strip and the Jericho Area (hereafter the*  
14       *“Gaza-Jericho Agreement”) on May 4, 1994 which es-*  
15       *tablished a Palestinian Authority for the Gaza and*  
16       *Jericho areas;*

17               *(5) Israel and the P.L.O. signed an Agreement*  
18       *on Preparatory Transfer of Powers and Responsibil-*  
19       *ities (hereafter the “Early Empowerment Agreement”)*  
20       *on August 29, 1994 which provided for the transfer*  
21       *to the Palestinian Authority of certain powers and re-*  
22       *sponsibilities in the West Bank outside of the Jericho*  
23       *Area;*

24               *(6) under the terms of the Declaration of Prin-*  
25       *ciples, the Gaza-Jericho Agreement and the Early*

1       *Empowerment Agreement, the powers and responsibil-*  
2       *ities of the Palestinian Authority are to be assumed*  
3       *by an elected Palestinian Council with jurisdiction in*  
4       *the West Bank and Gaza Strip in accordance with*  
5       *the Interim Agreement to be concluded between Israel*  
6       *and the P.L.O.;*

7               *(7) permanent status negotiations relating to the*  
8       *West Bank and Gaza Strip are scheduled to begin by*  
9       *May 1996;*

10              *(8) the Congress has, since the conclusion of the*  
11       *Declaration of Principles and the P.L.O.'s renunci-*  
12       *ation of terrorism, provided authorities to the Presi-*  
13       *dent to suspend certain statutory restrictions relating*  
14       *to the P.L.O., subject to Presidential certifications*  
15       *that the P.L.O. has continued to abide by commit-*  
16       *ments made in and in connection with or resulting*  
17       *from the good faith implementation of, the Declara-*  
18       *tion of Principles;*

19              *(9) the P.L.O. commitments relevant to Presi-*  
20       *dential certifications have included commitments to*  
21       *renounce and condemn terrorism, to submit to the*  
22       *Palestinian National Council for formal approval the*  
23       *necessary changes to those articles of the Palestinian*  
24       *Covenant which call for Israel's destruction, and to*

1        *prevent acts of terrorism and hostilities against Is-*  
2        *rael; and*

3            *(10) the President, in exercising the aforemen-*  
4        *tioned authorities, has certified to the Congress on*  
5        *four occasions that the P.L.O. was abiding by its rel-*  
6        *evant commitments.*

7                                *SENSE OF CONGRESS*

8        *SEC. 603. It is the sense of the Congress that although*  
9        *the P.L.O. has recently shown improvement in its efforts*  
10       *to fulfill its commitments, it must do far more to dem-*  
11       *onstrate an irrevocable denunciation of terrorism and en-*  
12       *sure a peaceful settlement of the Middle East dispute, and*  
13       *in particular it must—*

14            *(1) submit to the Palestine National Council for*  
15        *formal approval the necessary changes to those arti-*  
16        *cles of the Palestinian National Covenant which call*  
17        *for Israel's destruction;*

18            *(2) make greater efforts to pre-empt acts of ter-*  
19        *ror, to discipline violators and to contribute to stem-*  
20        *ming the violence that has resulted in the deaths of*  
21        *123 Israeli citizens since the signing of the Declara-*  
22        *tion of Principles;*

23            *(3) prohibit participation in its activities and in*  
24        *the Palestinian Authority and its successors by any*  
25        *groups or individuals which continue to promote and*  
26        *commit acts of terrorism;*



1           (4) *cease all anti-Israel rhetoric, which poten-*  
 2           *tially undermines the peace process;*

3           (5) *confiscate all unlicensed weapons and restrict*  
 4           *the issuance of licenses to those with legitimate need;*

5           (6) *transfer and cooperate in transfer proceed-*  
 6           *ings relating to any person accused by Israel to acts*  
 7           *of terrorism; and*

8           (7) *respect civil liberties, human rights and*  
 9           *democratic norms.*

10           *AUTHORITY TO SUSPEND CERTAIN PROVISIONS*

11           *SEC. 604. (a) IN GENERAL.—Subject to subsection (b),*  
 12           *beginning on the date of enactment of this Act and for*  
 13           *twelve months thereafter, the President may suspend for a*  
 14           *period of not more than 6 months at a time any provision*  
 15           *of law specified in subsection (d). Any such suspension shall*  
 16           *cease to be effective after 6 months, or at such earlier date*  
 17           *as the President may specify.*

18           *(b) CONDITIONS.—*

19           (1) *CONSULTATIONS.—Prior to each exercise of*  
 20           *the authority provided in subsection (a) or certifi-*  
 21           *cation pursuant to subsection (c), the President shall*  
 22           *consult with the relevant congressional committees.*  
 23           *The President may not exercise that authority or*  
 24           *make such certification until 30 days after a written*  
 25           *policy justification is submitted to the relevant con-*  
 26           *gressional committees.*

1           (2) *PRESIDENTIAL CERTIFICATION.*—*The Presi-*  
2           *dent may exercise the authority provided in sub-*  
3           *section (a) only if the President certifies to the rel-*  
4           *evant congressional committees each time he exercises*  
5           *such authority that—*

6                     *(A) it is in the national interest of the*  
7           *United States to exercise such authority;*

8                     *(B) the P.L.O. continues to comply with all*  
9           *the commitments described in paragraph (4);*  
10          *and*

11                    *(C) funds provided pursuant to the exercise*  
12          *of this authority and the authorities under sec-*  
13          *tion 583(a) of Public Law 103–236 and section*  
14          *3(a) of Public Law 103–125 have been used for*  
15          *the purposes for which they were intended.*

16           (3) *REQUIREMENT FOR CONTINUING P.L.O. COM-*  
17          *PLIANCE.*—

18                    *(A) The President shall ensure that P.L.O.*  
19          *performance is continuously monitored and if*  
20          *the President at any time determines that the*  
21          *P.L.O. has not continued to comply with all the*  
22          *commitments described in paragraph (4), he*  
23          *shall so notify the relevant congressional commit-*  
24          *tees and any suspension under subsection (a) of*

1        *a provision of law specified in subsection (d)*  
2        *shall cease to be effective.*

3                *(B) Beginning six months after the date of*  
4        *enactment of this Act, if the President on the*  
5        *basis of the continuous monitoring of the*  
6        *P.L.O.'s performance determines that the P.L.O.*  
7        *is not complying with the requirements described*  
8        *in subsection (c), he shall so notify the relevant*  
9        *congressional committees and no assistance shall*  
10       *be provided pursuant to the exercise by the Presi-*  
11       *dent of the authority provided by subsection (a)*  
12       *until such time as the President makes the cer-*  
13       *tification provided for in subsection (c).*

14        *(4) P.L.O. COMMITMENTS DESCRIBED.—The*  
15       *commitments referred to in paragraphs (2) and*  
16       *(3)(A) are the commitments made by the P.L.O.—*

17                *(A) in its letter of September 9, 1993, to the*  
18       *Prime Minister of Israel; in its letter of Septem-*  
19       *ber 9, 1993, to the Foreign Minister of Norway*  
20       *to—*

21                *(i) recognize the right of the State of*  
22       *Israel to exist in peace and security;*

23                *(ii) accept United Nations Security*  
24       *Council Resolutions 242 and 338;*

1                   (iii) renounce the use of terrorism and  
2                   other acts of violence;

3                   (iv) assume responsibility over all  
4                   P.L.O. elements and personnel in order to  
5                   assure their compliance, prevent violations  
6                   and discipline violators;

7                   (v) call upon the Palestinian people in  
8                   the West Bank and Gaza Strip to take part  
9                   in the steps leading to the normalization of  
10                  life, rejecting violence and terrorism, and  
11                  contributing to peace and stability; and

12                  (vi) submit to the Palestine National  
13                  Council for formal approval the necessary  
14                  changes to the Palestinian National Cov-  
15                  enant eliminating calls for Israel's destruc-  
16                  tion, and

17                  (B) in, and resulting from, the good faith  
18                  implementation of the Declaration of Principles,  
19                  including good faith implementation of subse-  
20                  quent agreements with Israel, with particular at-  
21                  tention to the objective of preventing terrorism,  
22                  as reflected in the provisions of the Gaza-Jericho  
23                  Agreement concerning—

24                  (i) prevention of acts of terrorism and  
25                  legal measures against terrorists;

1                   (ii) abstention from and prevention of  
2                   incitement, including hostile propaganda;

3                   (iii) operation of armed forces other  
4                   than the Palestinian Police;

5                   (iv) possession, manufacture, sale, ac-  
6                   quisition or importation of weapons;

7                   (v) employment of police who have  
8                   been convicted of serious crimes or have  
9                   been found to be actively involved in terror-  
10                  ist activities subsequent to their employ-  
11                  ment;

12                  (vi) transfers to Israel of individuals  
13                  suspected of, charged with, or convicted of  
14                  an offense that falls within Israeli criminal  
15                  jurisdiction;

16                  (vii) cooperation with the government  
17                  of Israel in criminal matters, including co-  
18                  operation in the conduct of investigations;  
19                  and

20                  (viii) exercise of powers and respon-  
21                  sibilities under the agreement with due re-  
22                  gard to internationally accepted norms and  
23                  principles of human rights and the rule of  
24                  law.

1           (5) *POLICY JUSTIFICATION.*—As part of the  
 2           President’s written policy justification to be submit-  
 3           ted to the relevant Congressional Committees pursu-  
 4           ant to paragraph (1), the President will report on—

5                   (A) the manner in which the P.L.O. has  
 6                   complied with the commitments specified in  
 7                   paragraph (4), including responses to individual  
 8                   acts of terrorism and violence, actions to dis-  
 9                   cipline perpetrators of terror and violence, and  
 10                  actions to preempt acts of terror and violence;

11                  (B) the extent to which the P.L.O. has ful-  
 12                  filled the requirements specified in subsection (c);

13                  (C) actions that the P.L.O. has taken with  
 14                  regard to the Arab League boycott of Israel;

15                  (D) the status and activities of the P.L.O.  
 16                  office in the United States; and

17                  (E) the status of U.S. and international as-  
 18                  sistance efforts in the areas subject to jurisdic-  
 19                  tion of the Palestinian Authority or its succes-  
 20                  sors.

21           (c) *REQUIREMENT FOR CONTINUED PROVISION OF AS-*  
 22           *SISTANCE.*—Six months after the enactment of this Act, no  
 23           assistance shall be provided pursuant to the exercise by the  
 24           President of the authority provided by subsection (a), unless

1 *and until the President determines and so certifies to the*  
2 *Congress that—*

3           *(1) if the Palestinian Council has been elected*  
4           *and assumed its responsibilities, it has, within a rea-*  
5           *sonable time, effectively disavowed and thereby nul-*  
6           *lified the articles of the Palestine National Covenant*  
7           *which call for Israel's destruction, unless the nec-*  
8           *essary changes to the Covenant have already been sub-*  
9           *mitted to the Palestine National Council for formal*  
10          *approval;*

11          *(2) the P.L.O. has exercised its authority reso-*  
12          *lutely to establish the necessary enforcement institu-*  
13          *tions; including laws, police, and a judicial system,*  
14          *for apprehending, prosecuting, convicting, and im-*  
15          *prisoning terrorists;*

16          *(3) the P.L.O. has limited participation in the*  
17          *Palestinian Authority and its successors to individ-*  
18          *uals and groups that neither engage in nor practice*  
19          *terrorism or violence in the implementation of their*  
20          *political goals;*

21          *(4) the P.L.O. has not provided any financial or*  
22          *material assistance or training to any group, whether*  
23          *or not affiliated with the P.L.O., to carry out actions*  
24          *inconsistent with the Declaration of Principles, par-*  
25          *ticularly acts of terrorism against Israel;*

1           (5) *the P.L.O. has cooperated in good faith with*  
2           *Israeli authorities in the preemption of acts of terror-*  
3           *ism and in the apprehension and trial of perpetrators*  
4           *of terrorist acts in Israel, territories controlled by Is-*  
5           *rael and all areas subject to jurisdiction of the Pal-*  
6           *estinian Authority and its successors;*

7           (6) *the P.L.O. has exercised its authority reso-*  
8           *lutely to enact and implement laws requiring the dis-*  
9           *arming of civilians not specifically licensed to possess*  
10          *or carry weapons;*

11          (7) *the P.L.O. has not funded, either partially or*  
12          *wholly, or has ceased funding, either partially or*  
13          *wholly, any office, or other presence of the Palestinian*  
14          *Authority in Jerusalem; and*

15          (8) *the P.L.O. is cooperating fully with the Gov-*  
16          *ernment of the United States on the provision of in-*  
17          *formation on United States nationals known to have*  
18          *been held at any time by the P.L.O. or factions there-*  
19          *of.*

20          (d) *PROVISIONS THAT MAY BE SUSPENDED.—The*  
21          *provisions that may be suspended under the authority of*  
22          *subsection (a) are the following:*

23               (1) *Section 307 of the Foreign Assistance Act of*  
24               1961 (22 U.S.C. 2227) *as it applies with respect to*  
25               *the P.L.O. or entities associated with it.*



1           (2) *Section 114 of the Department of State Au-*  
 2           *thorization Act, fiscal years 1984 and 1985 (22*  
 3           *U.S.C. 287e note) as it applies with respect to the*  
 4           *P.L.O. or entities associated with it.*

5           (3) *Section 1003 of the Foreign Relations Au-*  
 6           *thorization Act, fiscal years 1988 and 1989 (22*  
 7           *U.S.C. 5202).*

8           (4) *Section 37 of the Bretton Woods Agreement*  
 9           *Act (22 U.S.C. 286W) as it applies on the granting*  
 10          *to the P.L.O. of observer status or other official status*  
 11          *at any meeting sponsored by or associated with the*  
 12          *International Monetary Fund. As used in this para-*  
 13          *graph, the term “other official status” does not in-*  
 14          *clude membership in the International Monetary*  
 15          *Fund.*

16          (e) *RELEVANT CONGRESSIONAL COMMITTEES DE-*  
 17          *FINED.—As used in this title, the term “relevant congres-*  
 18          *sional committees” means—*

19               (1) *the Committee on International Relations,*  
 20               *the Committee on Banking and Financial Services,*  
 21               *and the Committee on Appropriations of the House of*  
 22               *Representatives; and*

23               (2) *the Committee on Foreign Relations and the*  
 24               *Committee on Appropriations of the Senate.*

25   **(189)**Page 83, after line 17 insert:

1                    *LIMITATION ON ASSISTANCE FOR HAITI*

2            *SEC. 605. (a) LIMITATION.—None of the funds appro-*  
3 *priated or otherwise made available by this Act or any other*  
4 *Act may be furnished to the Government of Haiti until the*  
5 *President determines and reports in writing to the Congress*  
6 *that—*

7                    *(1) the Government of Haiti has conducted or is*  
8 *conducting a thorough and professional investigation*  
9 *into, and prosecution of those responsible for the mur-*  
10 *der of Mireille Durocher de Bertin on March 28,*  
11 *1995, and other possible cases of political or*  
12 *extrajudicial killings, including the 20 cases of “com-*  
13 *mando-style executions” cited by the United Nations/*  
14 *Organization of American States International Civil-*  
15 *ian Mission in Haiti on September 12, 1995;*

16                    *(2)(A) the police and security forces of Haiti are*  
17 *not assassinating or abducting civilians, are not en-*  
18 *gaging in other acts of violence directed at civilians,*  
19 *and are controlling such activities by elements subject*  
20 *to the control of those forces; or*

21                    *(B) the Government of Haiti is investigating ef-*  
22 *fectively the members within its police and security*  
23 *forces engaged in acts of violence against civilians,*  
24 *and has put in place effective policies to deter and*  
25 *punish such activities in the future.*

1           (3) *the Government of Haiti has actively sought*  
2           *and encouraged a law enforcement service from out-*  
3           *side Haiti to assist and monitor investigators of the*  
4           *Government of Haiti in their investigation of the*  
5           *murders cited in paragraph (1) above; and*

6           (4)(A) *the Government of Haiti has cooperated*  
7           *fully and in a timely fashion with United States Fed-*  
8           *eral Bureau of Investigation efforts to investigate the*  
9           *murder of Mireille Durocher de Bertin, including pro-*  
10          *viding access to Haitian Government employees in a*  
11          *manner which facilitates prosecution of those respon-*  
12          *sible for her murder; or*

13          (B) *the Government of Haiti has not cooperated*  
14          *fully and in a timely fashion with United States Fed-*  
15          *eral Bureau of Investigation efforts to investigate the*  
16          *murder of Mireille Durocher de Bertin, including pro-*  
17          *viding access to Haitian Government employees in a*  
18          *manner which facilitates prosecution of those respon-*  
19          *sible for her murder, in which case the President shall*  
20          *submit a detailed accounting of the areas of non-co-*  
21          *operation and his assessment of all the reasons for*  
22          *such non-cooperation by the Government of Haiti.*

23          (b) *REPORT.*—*Not later than 60 days after enactment*  
24          *of this section, the President shall report to the appropriate*  
25          *committees of Congress, based on information available to*

1 *him, on the identity or identities of those responsible for*  
 2 *the murder and any subsequent coverup, and on the status*  
 3 *of the Government of Haiti's investigation of—*

4 *(1) the murder of American citizen Richard*  
 5 *Andre Emmanuel on February 13, 1991;*

6 *(2) the murders of Bastian Desrosiers, Stevenson*  
 7 *Desrosiers, Jacques Nelio, Pierre Schiller and Louis*  
 8 *Walky on July 26, 1991;*

9 *(3) the murder of Reverend Sylvio Claude on*  
 10 *September 17, 1991;*

11 *(4) the murder of Roger Lanfontant on Septem-*  
 12 *ber 29, 1991;*

13 *(5) the murder of Antoine Izmerly on September*  
 14 *11, 1993; and*

15 *(6) the murder of Minister of Justice Guy*  
 16 *Malary on October 14, 1993.*

17 *(c) HUMANITARIAN ASSISTANCE.—Nothing in this sec-*  
 18 *tion shall be construed to restrict the provision of humani-*  
 19 *tarian or electoral assistance to the Haitian people by non-*  
 20 *governmental or private voluntary organizations.*

21 *(d) WAIVER.—The president may waive the require-*  
 22 *ments of this section if he determines and certifies to the*  
 23 *appropriate committees of Congress that it is necessary to*  
 24 *facilitate the safe and timely withdrawal of American forces*  
 25 *from Haiti.*

1 **(190)**Page 83, after line 17 insert:

2       *LIMITATION ON FUNDS TO THE TERRITORY OF THE*  
 3                       *BOSNIAC-CROAT FEDERATION.*

4       *SEC. 606. Funds appropriated by this Act for activi-*  
 5       *ties in the internationally-recognized borders of Bosnia and*  
 6       *Herzegovina (other than refugee and disaster assistance and*  
 7       *assistance for restoration of infrastructure, to include power*  
 8       *grids, water supplies and natural gas) may only be made*  
 9       *available for activities in the territory of the Bosniac-Croat*  
 10       *Federation.*

11 **(191)**Page 83, after line 17 insert:

12       *PLAN RECOMMENDING A STRATEGIC REORGANIZATION OF*  
 13                       *THE UNITED NATIONS*

14       *SEC. 607. (a) SENSE OF CONGRESS REGARDING UNIT-*  
 15       *ED NATIONS REFORM.—It is the sense of Congress that—*

16               *(1) the 50th anniversary of the United Nations*  
 17               *provides an important opportunity for a comprehen-*  
 18               *sive review of the strengths and weaknesses of the*  
 19               *United Nations and for the identification and imple-*  
 20               *mentation of changes in the United Nation that*  
 21               *would improve its ability to discharge effectively the*  
 22               *objectives of the United Nations set forth in the Unit-*  
 23               *ed Nations Charter;*

24               *(2) the structure of the United Nations system,*  
 25               *which has evolved over 50 years, should be subject to*

1        *a comprehensive review in order to identify the*  
2        *changes to the system that will best serve the interests*  
3        *of the United States and of the international commu-*  
4        *nity;*

5                *(3) the United States, as the strongest member*  
6        *state of the United Nations, should lead this com-*  
7        *prehensive review;*

8                *(4) reforms that produce a smaller, more focused,*  
9        *more efficient United Nations with clearly defined*  
10       *missions are in the interest of the United States and*  
11       *of the United Nations;*

12               *(5) the United States should develop a unified*  
13       *position in support of reforms at the United Nations*  
14       *that are broadly supported by both the legislative*  
15       *branch and the executive branch;*

16               *(6) the need for reform of the United Nations is*  
17       *urgent; and*

18               *(7) the failure to develop and implement prompt-*  
19       *ly a strategic reorganization of the United Nations*  
20       *will result in a continued diminution of the relevance*  
21       *of the United Nations to United States foreign policy*  
22       *and to international politics generally.*

23        *(b) UNITED NATIONS REORGANIZATION PLAN.—*

24               *(1) REQUIREMENT FOR PLAN.—The President*  
25       *shall submit to Congress, together with the budget sub-*

1       mitted pursuant to section 1105 of title 31, United  
2       States Code, for fiscal year 1997, a plan recommend-  
3       ing a strategic reorganization of the United Nations.

4               (2) *REQUIREMENT RELATING TO DEVELOP-*  
5       *MENT.*—The President shall develop the plan in con-  
6       sultation with Congress.

7               (3) *PLAN ELEMENTS.*—The plan should include  
8       the elements described in subsection (c) and such other  
9       recommendations as may be necessary to achieve the  
10      efficient, cost-effective conduct of the responsibilities of  
11      the United Nations.

12      (c) *CONTENTS OF REORGANIZATION PLAN.*—It is the  
13      sense of the Congress that the reorganization plan required  
14      by subsection (b)(1) should—

15              (1) constitute a comprehensive statement of  
16      United States policy toward reform of the United Na-  
17      tions;

18              (2) set forth an agenda to implement the reforms  
19      set forth in the plan in a timely manner;

20              (3) include specific proposals to achieve—

21                      (A) a substantial reduction in the number  
22                      of agencies within the United Nations system,  
23                      including proposals to consolidate, abolish, or re-  
24                      structure mechanisms for financing agencies of  
25                      the United Nations that have a low priority;

1           (B) the identification and strengthening of  
2           the core agencies of the United Nations system  
3           that most directly serve the objectives of the  
4           United Nations set forth in the United Nations  
5           Charter;

6           (C) the increased cooperation, and the  
7           elimination of duplication, among United Na-  
8           tions agencies and programs;

9           (D) the consolidation of the United Nations  
10          technical cooperation activities between the Unit-  
11          ed Nations Headquarters and the offices of the  
12          United Nations in Geneva, Switzerland, includ-  
13          ing the merger of the technical cooperation func-  
14          tions of the United Nations Development Pro-  
15          gram (UNDP), the United Nations Population  
16          Fund (UNFPA), the United Nations Environ-  
17          mental Program (UNEP), the United Nations  
18          Industrial Development Organization (UNIDO),  
19          the International Fund for Agricultural Develop-  
20          ment (IFAD), the United Nations Capital Devel-  
21          opment Fund (UNCDF), and the United Nations  
22          Development Fund for Women (UNIFEM);

23          (E) the consolidation of the United Nations  
24          emergency response mechanism by merging the  
25          emergency functions of relevant United Nations



1            *agencies, including the United Nations Chil-*  
2            *dren's Fund, the World Food Program, and the*  
3            *Office of the United Nations High Commissioner*  
4            *for Refugees;*

5            *(F) a substantial reduction in, or elimi-*  
6            *nation of, the cost and number of international*  
7            *conferences sponsored by the United Nations;*

8            *(G) a significant strengthening of the ad-*  
9            *ministrative and management capabilities of the*  
10           *Secretary General of the United Nations, includ-*  
11           *ing a cessation of the practice of reserving top*  
12           *Secretariat posts for citizens of particular coun-*  
13           *tries;*

14           *(H) a significant increase in the openness*  
15           *to the public of the budget decision-making pro-*  
16           *cedures of the United Nations; and*

17           *(I) the establishment of a truly independent*  
18           *inspector general at the United Nations; and*

19           *(4) include proposals to coordinate and imple-*  
20           *ment proposals for reform of the United Nations such*  
21           *as those proposals set forth in the communique of the*  
22           *21st annual summit of the Heads of State and Gov-*  
23           *ernment of the seven major industrialized nations and*  
24           *the President of the European Commission at Hali-*  
25           *fax, Nova Scotia, dated June 15–17, 1995.*

1 (192)Page 83, after line 17 insert:

2 ***TITLE VII—NATO PARTICIPA-***  
 3 ***TION ACT AMENDMENTS OF***  
 4 ***1995***

5 ***SECTION 701. SHORT TITLE.***

6 *This title may be cited as the “NATO Participation*  
 7 *Act Amendments of 1995”.*

8 ***SEC. 702. FINDINGS.***

9 *The Congress makes the following findings:*

10 *(1) Since 1949, the North Atlantic Treaty Orga-*  
 11 *nization (NATO) has played an essential role in*  
 12 *guaranteeing the security, freedom, and prosperity of*  
 13 *the United States and its partners in the Alliance.*

14 *(2) NATO has expanded its membership on three*  
 15 *different occasions since 1949.*

16 *(3) The sustained commitment of the member*  
 17 *countries of NATO to mutual defense of their security*  
 18 *ultimately made possible the democratic trans-*  
 19 *formation in Central and Eastern Europe and the de-*  
 20 *mise of the Soviet Union.*

21 *(4) NATO was designed to be and remains a de-*  
 22 *fensive military organization whose members have*  
 23 *never contemplated the use of, or used, military force*  
 24 *to expand the borders of its member states.*

1           (5) *While the immediate threat to the security of*  
2           *the United States and its allies has been reduced with*  
3           *the collapse of the Iron Curtain, new security threats,*  
4           *such as the situation in Bosnia and Herzegovina, are*  
5           *emerging to the shared interests of the member coun-*  
6           *tries of NATO.*

7           (6) *NATO remains the only multilateral security*  
8           *organization capable of conducting effective military*  
9           *operations to protect Western security interests.*

10          (7) *NATO has played a positive role in defusing*  
11          *tensions between NATO members and, as a result, no*  
12          *military action has occurred between two NATO*  
13          *member states since the inception of NATO in 1949.*

14          (8) *NATO is also an important diplomatic*  
15          *forum for the discussion of issues of concern to its*  
16          *member states and for the peaceful resolution of dis-*  
17          *putes.*

18          (9) *America's security, freedom, and prosperity*  
19          *remain linked to the security of the countries of Eu-*  
20          *rope.*

21          (10) *Any threat to the security of the newly*  
22          *emerging democracies in Europe would pose a secu-*  
23          *rity threat to the United States and its European al-*  
24          *lies.*

1           (11) *The admission to NATO of European coun-*  
2           tries that have been freed from Communist domina-  
3           tion and that meet specific criteria for NATO mem-  
4           bership would contribute to international peace and  
5           enhance the security of the region.

6           (12) *A number of countries have expressed vary-*  
7           ing degrees of interest in NATO membership, and  
8           have taken concrete steps to demonstrate this commit-  
9           ment.

10          (13) *Full integration of Central and East Euro-*  
11          pean countries into the North Atlantic Alliance after  
12          such countries meet essential criteria for admission  
13          would enhance the security of the Alliance and, there-  
14          by, contribute to the security of the United States.

15          (14) *The expansion of NATO can create the sta-*  
16          ble environment needed to successfully complete the  
17          political and economic transformation envisioned by  
18          European states emerging from Communist domina-  
19          tion.

20          (15) *In recognition that not all countries which*  
21          have requested membership in NATO will necessarily  
22          qualify at the same pace, the accession date for each  
23          new member will vary.

24          (16) *Nothing in this title should be construed as*  
25          precluding the eventual NATO membership of Euro-

1        *pean countries never under Communist domination,*  
2        *namely, Austria, Finland, and Sweden.*

3            *(17) The provision of NATO transition assist-*  
4        *ance should include those countries most ready for*  
5        *closer ties with NATO and should be designed to as-*  
6        *sist other countries meeting specified criteria of eligi-*  
7        *bility to move forward toward eventual NATO mem-*  
8        *bership.*

9            *(18) The evaluation of future membership in*  
10       *NATO for countries emerging from Communist domi-*  
11       *nation should be based on the progress of those na-*  
12       *tions in meeting criteria for NATO transition assist-*  
13       *ance and evolving NATO criteria, which require en-*  
14       *hancement of NATO's security and the approval of all*  
15       *NATO members.*

16    ***SEC. 703. UNITED STATES POLICY.***

17        *It should be the policy of the United States—*

18            *(1) to join with the NATO allies of the United*  
19        *States to redefine the role of the NATO Alliance in the*  
20        *post-Cold War world;*

21            *(2) to actively assist European countries emerg-*  
22        *ing from Communist domination in their transition*  
23        *so that such countries may eventually qualify for*  
24        *NATO membership; and*

1           (3) *to work to define the political and security*  
 2           *relationship between an enlarged NATO and the Rus-*  
 3           *sian Federation.*

4   **SEC. 704. REVISIONS TO PROGRAM TO FACILITATE TRANSI-**  
 5           **TION TO NATO MEMBERSHIP.**

6           (a) *ESTABLISHMENT OF PROGRAM.*—Subsection (a) of  
 7           *section 203 of the NATO Participation Act of 1994 (title*  
 8           *II of Public Law 103–447; 22 U.S.C. 1928 note) is amended*  
 9           *to read as follows:*

10          “(a) *ESTABLISHMENT OF PROGRAM.*—The President  
 11          *may provide expanded security assistance and other related*  
 12          *assistance to countries designated under subsection (d) to*  
 13          *facilitate their transition to full NATO membership.”.*

14          (b) *ELIGIBLE COUNTRIES.*—

15               (1) *ELIGIBILITY.*—Subsection (d) of section 203  
 16               *of such Act is amended to read as follows:*

17               “(d) *DESIGNATION OF ELIGIBLE COUNTRIES.*—

18                       “(1) *PRESIDENTIAL REVIEW AND REPORT.*—  
 19                       *Within 60 days of the enactment of the NATO Par-*  
 20                       *ticipation Act Amendments of 1995, the President*  
 21                       *shall transmit to the Congress an evaluation of Po-*  
 22                       *land, Hungary, the Czech Republic, and Slovakia, as*  
 23                       *well as all other European countries emerging from*  
 24                       *Communist domination which have expressed an in-*  
 25                       *terest in joining NATO, in accordance with the cri-*

1        *teria in paragraph (3) and specifically designate one*  
2        *or more of these countries to be eligible to receive as-*  
3        *sistance under the program established in subsection*  
4        *(a). The President shall provide a report of the coun-*  
5        *try-by-country evaluation as well as an evaluation of*  
6        *each designated country's progress toward conform-*  
7        *ance with criteria for full NATO membership.*

8                *“(2) OTHER EUROPEAN COUNTRIES EMERGING*  
9        *FROM COMMUNIST DOMINATION.—In addition to the*  
10        *country or countries designated pursuant to para-*  
11        *graph (1), the President may designate other Euro-*  
12        *pean countries emerging from Communist domina-*  
13        *tion. The President may make such a designation in*  
14        *the case of any such country only if the President de-*  
15        *termines, and reports to the designated congressional*  
16        *committees, that such country meets the criteria speci-*  
17        *fied in paragraph (3).*

18                *“(3) CRITERIA.—The criteria referred to in*  
19        *paragraph (2) are, with respect to each country, that*  
20        *the country—*

21                        *“(A) has made or is making significant*  
22        *progress toward establishing—*

23                                *“(i) shared values and interests;*

24                                *“(ii) democratic governments;*

25                                *“(iii) free market economies;*

1                   “(iv) civilian control of the military, of  
2                   the police, and of intelligence services;

3                   “(v) adherence to the values, prin-  
4                   ciples, and political commitments embodied  
5                   in the Helsinki Final Act of the Organiza-  
6                   tion on Security and Cooperation in Eu-  
7                   rope; and

8                   “(vi) more transparent defense budgets  
9                   and is participating in the Partnership For  
10                  Peace defense planning process;

11                  “(B) has made public commitments—

12                  “(i) to further the principles of NATO  
13                  and to contribute to the security of the  
14                  North Atlantic area;

15                  “(ii) to accept the obligations, respon-  
16                  sibilities, and costs of NATO membership;  
17                  and

18                  “(iii) to implement infrastructure de-  
19                  velopment activities that will facilitate par-  
20                  ticipation in and support for NATO mili-  
21                  tary activities;

22                  “(C) is not ineligible for assistance under  
23                  section 563 of Public Law 103–306, with respect  
24                  to transfers of equipment to a country the gov-  
25                  ernment of which the Secretary of State has de-



1        *terminated is a terrorist government for purposes*  
2        *of section 40(d) of the Arms Export Control Act;*  
3        *and*

4                *“(D) could, within five years of the deter-*  
5        *mination of the President under paragraph (1)*  
6        *or (2), be in a position to further the principles*  
7        *of the North Atlantic Treaty and to contribute to*  
8        *its own security and that of the North Atlantic*  
9        *area.*

10                *“(4) PROHIBITION ON FUNDING FOR PARTNER-*  
11        *SHIP FOR PEACE ACTIVITIES OR ON FUNDING FOR*  
12        *THE WARSAW INITIATIVE.—Effective 60 days after the*  
13        *date of enactment of the NATO Participation Act*  
14        *Amendments of 1995, no funds authorized to be ap-*  
15        *propriated under any provision of law may be obli-*  
16        *gated or expended for activities associated with the*  
17        *Partnership for Peace program or the Warsaw Initia-*  
18        *tive until the President has designated at least one*  
19        *country to participate in the transition program es-*  
20        *tablished under subsection (a).”.*

21                *(2) CONFORMING AMENDMENTS.—*

22                *(A) Subsections (b) and (c) of section 203 of*  
23        *such Act are amended by striking “countries de-*  
24        *scribed in such subsection” each of the two places*

1           *it appears and inserting “countries designated*  
 2           *under subsection (d)”.*

3                   *(B) Subsection (e) of section 203 of such Act*  
 4           *is amended—*

5                           *(i) by striking “subsection (d)” and in-*  
 6                           *serting “subsection (d)(2)”;* *and*

7                           *(ii) by inserting “(22 U.S.C. 2394)”*  
 8                           *before the period at the end.*

9                   *(C) Section 204(c) of such Act is amended*  
 10           *by striking “any other Partnership for Peace*  
 11           *country designated under section 203(d)” and*  
 12           *inserting “any country designated under section*  
 13           *203(d)(2)”.*

14           *(c) TYPES OF ASSISTANCE.—Section 203(c) of such*  
 15           *Act is amended—*

16                   *(1) by redesignating paragraphs (1) through (4)*  
 17                   *as subparagraphs (A) through (D), respectively; and*

18                   *(2) by inserting after subparagraph (D) (as re-*  
 19                   *designated) the following new subparagraphs:*

20                           *“(E) Assistance under chapter 4 of part II of the*  
 21                           *Foreign Assistance Act of 1961 (relating to the Eco-*  
 22                           *nomie Support Fund).*

23                           *“(F) Funds appropriated under the ‘Non-*  
 24                           *proliferation and Disarmament Fund’ account”.*

1           “(G) Assistance under chapter 6 of part II of the  
2       *Foreign Assistance Act of 1961 (relating to peacekeep-*  
3       *ing operations and other programs).*”.

4           “(H) Authority for the Department of Defense to  
5       *pay excess defense articles costs for countries des-*  
6       *ignated for both grant lethal and nonlethal excess de-*  
7       *fense articles.*

8           “(I) Authority to convert FMF loans to grants,  
9       *and grants to loans, for eligible countries.*

10          (3) by inserting “(1)” immediately after “TYPE  
11       *OF ASSISTANCE.—*”; and

12          (4) by adding at the end the following new para-  
13       *graphs:*

14          “(2) For fiscal years 1996 and 1997, in providing as-  
15       *sistance under chapter 5 of part II of the Foreign Assistance*  
16       *Act of 1961 for the countries designated under subsection*  
17       *(d), the President shall include as an important component*  
18       *of such assistance the provision of sufficient language train-*  
19       *ing to enable military personnel to participate further in*  
20       *programs for military training and in defense exchange*  
21       *programs.*

22          “(3) Of the amounts made available under chapter 5  
23       *of part II of the Foreign Assistance Act of 1961 (relating*  
24       *to international military education and training),*

1 \$5,000,000 for fiscal year 1996 and \$5,000,000 for fiscal  
2 year 1997 should support—

3 “(A) the attendance of additional military per-  
4 sonnel of countries designated under subsection (d)(1)  
5 or (d)(2), particularly Poland, Hungary, the Czech  
6 Republic, and Slovakia, at professional military edu-  
7 cation institutions in the United States in accordance  
8 with section 544 of such Act; and

9 “(B) the placement and support of United States  
10 instructors and experts at military educational cen-  
11 ters within the foreign countries designated under  
12 subsection (d) that are receiving assistance under that  
13 chapter.”.

14 **SEC. 705. ASSISTANCE FOR NATO PARTICIPATION ACT DES-**  
15 **IGNEES.**

16 *The President is authorized to obligate and expend*  
17 *\$60,000,000 from funds made available under the Foreign*  
18 *Assistance Act of 1961 in support of countries designated*  
19 *to receive transition assistance under section 203(a) of the*  
20 *NATO Participation Act, as follows:*

21 (1) *Poland: \$20,000,000.*

22 (2) *Czech Republic: \$10,000,000.*

23 (3) *Hungary: \$5,000,000.*

24 (4) *Slovakia: \$5,000,000.*

1           (5) *Other European countries designated under*  
 2           *subsection (d)(1) or subsection (d)(2): \$20,000,000.*

3   ***SEC. 706. TERMINATION OF ELIGIBILITY.***

4           *Section 203(f) of the NATO Participation Act of 1994*  
 5           *(title II of Public Law 103–447; 22 U.S.C. 1928 note) is*  
 6           *amended to read as follows:*

7           “(f) *TERMINATION OF ELIGIBILITY.—(1) The eligi-*  
 8           *bility of a country designated under subsection (d) for the*  
 9           *program established in subsection (a) shall terminate 60*  
 10           *days after the President makes a certification under para-*  
 11           *graph (2) unless, within the 60-day period, the Congress*  
 12           *enacts a joint resolution disapproving the termination of*  
 13           *eligibility.*

14           “(2) *Whenever the President determines that the gov-*  
 15           *ernment of a country designated under subsection (d)—*

16                   “(A) *no longer meets the criteria set forth in sub-*  
 17                   *section (d)(2)(A);*

18                   “(B) *is hostile to the NATO alliance; or*

19                   “(C) *poses a national security threat to the*  
 20           *United States,*

21           *then the President shall so certify to the appropriate con-*  
 22           *gressional committees.*

23           “(3) *Nothing in this Act shall affect the eligi-*  
 24           *bility of countries to participate under other provi-*  
 25           *sions of law in programs described in this Act.*

1       (b) *CONGRESSIONAL PRIORITY PROCEDURES.*—Sec-  
 2       tion 203 of such Act is amended by adding at the end the  
 3       following new subsection:

4       “(g) *CONGRESSIONAL PRIORITY PROCEDURES.*—

5               “(1) *APPLICABLE PROCEDURES.*—A joint resolu-  
 6       tion described in paragraph (2) which is introduced  
 7       in a House of Congress after the date on which a cer-  
 8       tification made under subsection (f)(2) is received by  
 9       Congress shall be considered in accordance with the  
 10      procedures set forth in paragraphs (3) through (7) of  
 11      section 8066(c) of the Department of Defense Appro-  
 12      priations Act, 1985 (as contained in Public Law 98–  
 13      473 (98 Stat. 1936)), except that—

14               “(A) references to the ‘resolution described  
 15      in paragraph (1)’ shall be deemed to be ref-  
 16      erences to the joint resolution; and

17               “(B) references to the Committee on Appro-  
 18      priations of the House of Representatives and to  
 19      the Committee on Appropriations of the Senate  
 20      shall be deemed to be references to the Committee  
 21      on International Relations of the House of Rep-  
 22      resentatives and the Committee on Foreign Rela-  
 23      tions of the Senate.

24               “(2) *TEXT OF JOINT RESOLUTION.*—A joint reso-  
 25      lution under this paragraph is a joint resolution the

1        *matter after the resolving clause of which is as fol-*  
 2        *lows: ‘That the Congress disapproves the certification*  
 3        *submitted by the President on \_\_\_\_\_ pursu-*  
 4        *ant to section 203(f) of the NATO Participation Act*  
 5        *of 1994.’”.*

6        **SEC. 707. REPORTS.**

7        *(a) ANNUAL REPORT.—Section 206 of the NATO Par-*  
 8        *ticipation Act of 1994 (title II of Public Law 103–447; 22*  
 9        *U.S.C. 1928 note), as redesignated by section 705(1) of this*  
 10       *Act, is amended—*

11                *(1) by inserting “**ANNUAL**” in the section head-*  
 12                *ing before the first word;*

13                *(2) by inserting “annual” after “include in the”*  
 14                *in the matter preceding paragraph (1);*

15                *(3) in paragraph (1), by striking “Partnership*  
 16                *for Peace” and inserting “European”; and*

17                *(4) by striking paragraph (2) and inserting in-*  
 18                *stead the following new paragraph:*

19                *“(2) In the event that the President determines*  
 20                *that, despite a period of transition assistance, a coun-*  
 21                *try designated under section 203(d) has not, as of*  
 22                *January 10, 1999, met criteria for NATO member-*  
 23                *ship set forth by the North Atlantic Council, the*  
 24                *President shall transmit a report to the designated*  
 25                *congressional committees containing an assessment of*

1        *the progress made by that country in meeting those*  
 2        *standards.”.*

3    **SEC. 708. DEFINITIONS.**

4        *The NATO Participation Act of 1994 (title II of Public*  
 5        *Law 103–447; 22 U.S.C. 1928 note), as amended by this*  
 6        *title, is further amended by adding at the end the following*  
 7        *new section:*

8    **“SEC. 207. DEFINITIONS.**

9        *“For purposes of this title:*

10            *“(1) NATO.—The term ‘NATO’ means the North*  
 11        *Atlantic Treaty Organization.*

12            *“(2) DESIGNATED CONGRESSIONAL COMMIT-*  
 13        *TEES.—The term ‘designated congressional commit-*  
 14        *tees’ means—*

15            *“(A) the Committee on International Rela-*  
 16        *tions, the Committee on National Security, and*  
 17        *the Committee on Appropriations of the House of*  
 18        *Representatives; and*

19            *“(B) the Committee on Foreign Relations,*  
 20        *the Committee on Armed Services, and the Com-*  
 21        *mittee on Appropriations of the Senate.*

22            *“(3) EUROPEAN COUNTRIES EMERGING FROM*  
 23        *COMMUNIST DOMINATION.—The term ‘European coun-*  
 24        *tries emerging from Communist domination’ includes,*  
 25        *but is not limited to, Albania, Bulgaria, Czech Re-*



1       *public, Estonia, Hungary, Latvia, Lithuania,*  
 2       *Moldova, Poland, Romania, Slovakia, Slovenia, and*  
 3       *Ukraine.”.*

4   **(193)**Page 83, after line 17 insert:

5   ***TITLE VIII—TO IMPOSE SANC-***  
 6       ***TIONS AGAINST BURMA, AND***  
 7       ***COUNTRIES ASSISTING***  
 8       ***BURMA, UNLESS BURMA OB-***  
 9       ***SERVES BASIC HUMAN***  
 10       ***RIGHTS AND PERMITS POLITI-***  
 11       ***CAL FREEDOMS.***

12   ***SEC. 801. SANCTIONS AGAINST BURMA.***

13       *Except as provided in section 4, the following sanc-*  
 14       *tions shall apply to Burma, effective 90 days after the date*  
 15       *of enactment of this Act (or on such other date as is speci-*  
 16       *fied in this section):*

17               (1) *INVESTMENTS.*—*No United States national*  
 18               *may make any investment in Burma.*

19               (2) *UNITED STATES ASSISTANCE.*—*United States*  
 20               *assistance for Burma is prohibited.*

21               (3) *TRADE PRIVILEGES.*—*The President shall*  
 22               *continue the suspension of special trade privileges*  
 23               *pursuant to the Generalized System of Preferences*  
 24               *(GSP), and shall continue the suspension of non-*

1       *discriminatory trade treatment (most-favored-nation*  
2       *status), with respect to Burma.*

3               (4) *IMPORTATION OF GOODS.—No article which*  
4       *is produced, manufactured, grown, or extracted in*  
5       *Burma may be imported into the United States.*

6               (5) *TRADE AND INVESTMENT TREATIES.—The*  
7       *United States should continue to suspend carrying*  
8       *out obligations under bilateral trade and investment*  
9       *treaties with Burma.*

10              (6) *TRAVEL RESTRICTIONS.—The Secretary of*  
11       *State shall prohibit the use of United States passports*  
12       *for travel to Burma except for travel by United States*  
13       *diplomatic personnel.*

14              (7) *DIPLOMATIC REPRESENTATION.—The Presi-*  
15       *dent is urged not to accept diplomatic representation*  
16       *from Burma at a level greater than the level of diplo-*  
17       *matic representation accorded the United States in*  
18       *Burma.*

19              (8) *FOREIGN ASSISTANCE.—The United States*  
20       *shall suspend assistance under the Foreign Assistance*  
21       *Act of 1961 and the Arms Export Control Act to any*  
22       *foreign government which sells or otherwise transfers*  
23       *arms to the Government of Burma.*

24              (9) *INTERNATIONAL ORGANIZATIONS CONTRIBU-*  
25       *TIONS.—The United States shall withhold from each*

1       *international organization that funds activities in*  
2       *Burma other than humanitarian activities an*  
3       *amount equal to the United States proportionate*  
4       *share of that funding.*

5               (10) *MULTILATERAL ASSISTANCE.*—*The Sec-*  
6       *retary of the Treasury shall instruct the United*  
7       *States executive director of each financial institution*  
8       *to vote against any loan or other utilization of the*  
9       *funds of the respective bank to or for Burma.*

10              (11) *EMINENT PERSONS GROUP.*—*The President,*  
11       *acting through the United States Permanent Rep-*  
12       *resentative to the United Nations, should urge the*  
13       *United Nations to establish an eminent persons group*  
14       *to report on compliance by the Government of Burma*  
15       *with United Nations resolutions.*

16              (12) *INTERNATIONAL ARMS EMBARGO.*—*The*  
17       *President, acting through the United States Perma-*  
18       *nent Representative to the United Nations, should*  
19       *urge the establishment by the United Nations of an*  
20       *international arms embargo of Burma.*

21       **SEC. 802. AGREEMENTS TO IMPOSE SANCTIONS ON BURMA.**

22              (a) *NEGOTIATIONS WITH TRADING PARTNERS.*—

23                   (1) *IN GENERAL.*—*Not later than 15 days after*  
24       *the date of the enactment of this Act, the President*  
25       *shall initiate negotiations with all foreign countries*

1 *with which the United States trades for the purpose*  
2 *of entering into agreements with the countries—*

3 *(A) to support United States sanctions*  
4 *against Burma, and*

5 *(B) to cease trade with and investment in*  
6 *Burma.*

7 *(2) CERTIFICATION OF NEGOTIATIONS AND*  
8 *AGREEMENTS.—Not later than 90 days after the date*  
9 *of the enactment of this Act, the President shall cer-*  
10 *tify to the Congress each country that—*

11 *(A) has failed to enter into an agreement*  
12 *described in paragraph (1), or*

13 *(B) has entered into such an agreement but*  
14 *is not enforcing it.*

15 *(3) ACTION BY THE PRESIDENT.—Notwithstand-*  
16 *ing any other provision of law, if a certification is*  
17 *made with respect to any country under paragraph*  
18 *(2) the President shall withdraw—*

19 *(A) any designation of such country—*

20 *(i) as a beneficiary developing country*  
21 *for purposes of title V of the Trade Act of*  
22 *1974 (19 U.S.C. 2461 et seq.),*

23 *(ii) as a beneficiary country for pur-*  
24 *poses of the Caribbean Basin Economic Re-*  
25 *covery Act (19 U.S.C. 2701 et seq.), or*

1                   (iii) as a beneficiary country for pur-  
2                   poses of the Andean Trade Preference Act  
3                   (19 U.S.C. 3201 et seq.),

4                   (B) from such countries the benefits of any  
5                   other special tariff treatment program under  
6                   which the special rates of duty apply under col-  
7                   umn 1 of the Harmonized Tariff Schedule of the  
8                   United States, and

9                   (C) most-favored-nation trade treatment  
10                  with respect to any such country.

11               (b) *APPLICABILITY.*—

12               (1) *IN GENERAL.*—The provisions of this section  
13               apply to goods entered, or withdrawn from warehouse  
14               for consumption, originating in or imported from a  
15               country with respect to which an action described in  
16               subsection (a)(3) has been taken, during the period be-  
17               ginning on the date that is 15 days after the date of  
18               the certification described in subsection (a)(2) and  
19               ending on the date that is 15 days after the earlier  
20               of—

21               (A) the date the President certifies to the  
22               Congress that such country has entered into an  
23               agreement described in subsection (a)(1) and is  
24               enforcing the agreement, or

1                   (B) the date a certification described in sec-  
2                   tion 4 is made.

3                   (2) *RATE OF DUTY DURING PERIOD DESIGNATION*  
4                   *IS WITHDRAWN.*—During the period described in  
5                   paragraph (1), goods entered, or withdrawn from  
6                   warehouse for consumption, originating in or im-  
7                   ported from a country described in subsection (a)(3)  
8                   shall be subject to duty at the rates of duty specified  
9                   for such goods under column 2 of the Harmonized  
10                  Tariff Schedule of the United States.

11 **SEC. 803. CERTIFICATION.**

12                  The sanctions of section 801 shall not apply upon the  
13                  determination and certification by the President to the ap-  
14                  propriate congressional committees that the following condi-  
15                  tions are met:

16                  (1) *The Government of Burma has uncondition-*  
17                  *ally released all political prisoners, including Aung*  
18                  *San Suu Kyi.*

19                  (2) *The Government of Burma has fully imple-*  
20                  *mented the results of the 1990 elections in Burma, in-*  
21                  *cluding the transfer of power to civilian authority,*  
22                  *the protection of basic human rights, and guarantee-*  
23                  *ing the right of Burmese citizens to participate freely*  
24                  *in the political process, assuring freedom of speech*  
25                  *and the right of association and assembly.*

1           (3) *The Government of Burma has implemented*  
2           *an effective counternarcotics effort.*

3   **SEC. 804. SANCTIONS AGAINST THE PEOPLE'S REPUBLIC OF**  
4           **CHINA.**

5           *The Secretary of the Treasury shall instruct the United*  
6   *States executive director of each multilateral financial in-*  
7   *stitution to vote against any loan or other utilization of*  
8   *the facilities of the respective institution to or for the Peo-*  
9   *ple's Republic of China until the President determines and*  
10   *certifies to the appropriate congressional committees that*  
11   *the People's Republic of China has terminated arms sales*  
12   *and other arms transfers to Burma.*

13   **SEC. 805. SANCTIONS AGAINST THE GOVERNMENT OF THAI-**  
14           **LAND.**

15           *The President shall withhold all United States assist-*  
16   *ance to the Government of Thailand until the President de-*  
17   *termines and certifies to the appropriate congressional com-*  
18   *mittees that the Government of Thailand is fully cooperat-*  
19   *ing in providing support and relief for Burmese exiles and*  
20   *refugees.*

21   **SEC. 806. REPORT.**

22           *Not later than 45 days after the date of enactment of*  
23   *this Act, the President shall submit a report to the appro-*  
24   *priate congressional committees on—*

1           (1) *the chemical and biological weapons capabil-*  
2           *ity of Burma;*

3           (2) *a plan to provide United States assistance in*  
4           *support of the democracy movement active inside*  
5           *Burma;*

6           (3) *the treatment by the Government of Thailand*  
7           *of Burmese students, refugees, and exiles resident in*  
8           *Thailand; and*

9           (4) *the status of arms sales and other arms*  
10          *transfers to the Government of Burma, including the*  
11          *amount of expenditures by the Government of Burma*  
12          *in the acquisition of arms.*

13   **SEC. 807. DEFINITIONS.**

14   *As used in this title:*

15          (1) *APPROPRIATE CONGRESSIONAL COMMIT-*  
16          *TEES.—The term “appropriate congressional commit-*  
17          *tees” means the Committee on Appropriations and the*  
18          *Committee on Foreign Relations of the Senate and the*  
19          *Committee on Appropriations and the Committee on*  
20          *International Relations of the House of Representa-*  
21          *tives.*

22          (2) *INVESTMENT.—The term “investment” in-*  
23          *cludes any contribution or commitment of funds, com-*  
24          *modities, services, patents, processes, or techniques, in*  
25          *the form of—*



1                   (A) a loan or loans;

2                   (B) the purchase of a share of ownership;

3                   (C) participation in royalties, earnings, or  
4                   profits; and

5                   (D) the furnishing of commodities or serv-  
6                   ices pursuant to a lease or other contract.

7                   (3) *HUMANITARIAN ACTIVITIES.*—The term “hu-  
8                   manitarian activities” means the provision of food,  
9                   medicine, medical supplies, or clothing and does not  
10                  include cash transfers.

11                  (4) *FINANCIAL INSTITUTIONS.*—The term “finan-  
12                  cial institutions” includes the International Bank for  
13                  Reconstruction and Development, the International  
14                  Development Association, the Asian Development  
15                  Bank, and the International Monetary Fund.

16                  (5) *UNITED STATES ASSISTANCE.*—The term  
17                  “United States assistance” means assistance of any  
18                  kind which is provided by grant, sale, loan, lease,  
19                  credit, guaranty, or insurance, or by any other  
20                  means, by any agency or instrumentality of the Unit-  
21                  ed States Government to any foreign country, includ-  
22                  ing—

23                         (A) assistance under the Foreign Assistance  
24                         Act of 1961 (including programs under title IV  
25                         of chapter 2 of part I of the Act);

1                   (B) sales, credits, and guaranties under the  
2                   *Arms Export Control Act* (22 U.S.C. 2751 et  
3                   *seq.*);

4                   (C) sales under title I (7 U.S.C.A. 1701 et  
5                   *seq.*) or III (17 U.S.C.A. 1727 et *seq.*) and dona-  
6                   tions under title II (17 U.S.C.A. 1721 et *seq.*) of  
7                   the *Agricultural Trade Development and Assist-*  
8                   *ance Act of 1954* of nonfood commodities;

9                   (D) other financing programs of the *Com-*  
10                  *modity Credit Corporation* for export sales of  
11                  nonfood commodities; and

12                  (E) financing under the *Export-Import*  
13                  *Bank Act of 1945* (12 U.S.C.A. 635 et *seq.*).

Attest:

*Secretary.*

104TH CONGRESS  
1ST SESSION

**H. R. 1868**

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## **AMENDMENTS**

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